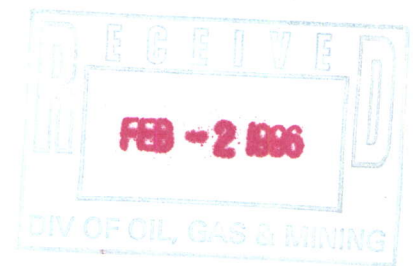


M/015/041

STATE OF UTAH  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS, AND MINING  
355 WEST NORTH TEMPLE  
3 TRIAD CENTER, SUITE 350  
SALT LAKE CITY, UT 84180-1203



DIAMOND K GYPSUM, INC.  
P.O. BOX 35  
RICHFIELD, UT 84701  
801-896-8870

CONSOLIDATED MINE PLAN

Diamond K Gypsum

M/015/041

Index (BY DOGM)

BLM's Record of Decision and Finding of No Significant Impact -

Approval of Lanny Jensen's Plan of Operation ..... September 5, 1991  
Lanny Jensen Letter to BLM - Supplement to Plan of Operations - 3 maps enclosed ..... July 29, 1991  
BLM Letter to Phil Palmer - Amendment for B & J #2 changing operator  
from Lanny Jensen to Phillip Palmer ..... January 29, 1992  
Listing of 37 BLM Claims held by John Welsh - B & J Placer ..... September 2, 1993  
BLM Letter to Phillip Palmer - Plan not necessary if under 5 acres ..... December 22, 1993  
Amended Notice of Plan of Operation - Quarry at 7 Acres ..... September 12, 1994  
BLM Letter to Phillip Palmer - Plan Amendment Incomplete ..... September 22, 1994  
Amended Notice of Plan of Operation - Quarry at 7.4 Acres ..... September 21, 1994  
DOGM Letter to Phillip Palmer - Receipt of Amended Notice to SMO -  
Asked for LMO within 45 days ..... September 22, 1994  
BLM Letter to Phillip Palmer - Amendment is Incomplete ..... October 3, 1994  
Amended Notice of Plan of Operation - Area A - submitted by Phillip Palmer ..... October 17, 1994  
BLM Letter to Phillip Palmer - Plan amendment determined complete -  
Need 30 days to review ..... October 20, 1994  
BLM Letter to DOGM - Received Plan Amendment - Increase from 5 to 12 Acres ... October 20, 1994  
BLM Notice of Decision - Approved Plan Amendment ..... November 14, 1994  
Notice of Intention for DKG Quarry ..... November 30, 1994  
DOGM Initial Plan Review - Deficiencies Noted ..... December 19, 1994  
John Welsh letter - Vegetation & Reclamation Plan for the Quarry ..... January 10, 1995  
BLM Letter to John Welsh - Vegetation & Reclamation Concerns ..... January 20, 1995  
DOGM 2nd Plan Review Sent w/Deficiencies Noted ..... February 8, 1995  
Diamond K Answers DOGM's Concerns ..... May 30, 1995  
DOGM Tentative Approval Letter ..... July 18, 1995

Summary of all Correspondence and Documentation of Permit Application for DKG Quarry (B & J Claims)

- 1 - Correspondence included in this volume are from DGOM, BLM, Emery County Economic Development and Diamond K Gypsum, Inc.
- 2 - File number: M/015/041 (UTU-69860)
- 3 - Notice of Plan of Operation, Reclamation, Maps, Site Inspections, and Public Notice. Notice of Intention to Commence Large Mining Operations are included in pages 29-68.
- 4 - An original \$10,000 CD as a bond was filed with Emery County as requested. Later it was replaced with a Surety Bond of \$10,000. When the Notice of Intent to enlarge mining operations was filed, DGOM increased the amount of the bond to \$29,400 and also informed us that the \$10,000 bond with Emery County could not be recognized by the BLM, therefore, a "Letter of Credit" was obtained to satisfy DGOM, BLM and Emery County.
- 5 - Rules requiring response are as follows:

R 647-4-104 - Filing Requirements and Review Procedures

Completed and filed.

R 647-4-106 - Operation Plan

*106.3 Estimated acreage disturbed, reclaimed, annually:*

Completed and filed.

*106.5 Existing soil types, location, amount:*

See pages 14-18.

*106.6 Plan for protecting and redepositing soils:*

See page 12.

*106.7 Existing vegetation - species and amount:*

See pages 14-18.

*106.8 Depth to groundwater, extent of overburden, geology:*

See page 12.

R 647-4-109 - Impact Assessment

109.1 *Impacts to surface and groundwater systems:*

Opinion of Division, required no response.

109.4 *Slope stability, erosion control, air quality, safety:*

See page 12 and 50.

R 647-4-110 - Reclamation Plan

110.2 *Roads, highwalls, slopes, drainages, pits, etc., reclaimed:*

See page 13.

110.5 *Revegetation planting program:*

We used the recommended seed mixture.

R 647-4-112 - Variance

Required no response.

R 647-4-113 - surety

Completed and files.

R 647-4-116 - Public Notice and Appeals

Completed by DGOM.

# DIAMOND K GYPSUM

---

January 23, 1996

Attention: Tony Gallegos  
State of Utah  
Department of Natural Resources  
Division of Oil, Gas, and Mining  
355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, UT 84180-1203

Re: Tentative Approval, Large Mining Operation Notice of Intention, Diamond K Gypsum, Inc., DKG Quarry (B & J Placer Claims), M/015/041, Emery County, Utah

Dear Tony:

As a response to your letter dated July 18, 1995, we are formally addressing the final issues. There has been many telephone conversation, but this is a clarification of the issues and verbal conversations.

**R647-4-110 - Reclamation Plan**

*110.5 Revegetation planting program:*

Reclamation of five acres was completed in October, 1995 using the recommended seed mixture.

**R 647-4-113 - Surety**

As per our conversations and your draft of "Letter of Credit" listing the BLM and DGOM with consideration of Emery County, the Letter of Credit is enclosed with this letter.

**R 647-4-116 - Public Notice & Appeals**

Filings of Public Notice has been made by your office and we have received copies of such from your office.



Page 2  
Tony Gallegos  
M/015/041  
January 23, 1996

Condition to final approval:

We have consolidated all of the correspondence and documents in volume form and have enclosed such with this letter. Also, a Reclamation Contract is enclosed.

Thank you for your attention and completion of the permitting process.

Sincerely,

Karen Palmer  
Vice President

Enclosures: Consolidated Volume, Reclamation Contract and Letter of Credit  
cc: Neil Simmons, BLM San Rafael RA  
Bryant Anderson, Emery County Planning and Zoning  
John E. Welsh, Owner of Claims





State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt  
Governor

Ted Stewart  
Executive Director

James W. Carter  
Division Director

355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203  
801-538-5340  
801-359-3940 (Fax)  
801-538-5319 (TDD)

January 8, 1996

Karen Palmer  
Diamond K Gypsum Company  
234 North 500 West  
Richfield, Utah 84701

Re: Reclamation Surety, Diamond K Gypsum Company (DKG), DKG Quarry, M/015/041, (UTU-69860), Emery County, Utah

Dear Ms. Palmer:

At long last we are ready to proceed with the reclamation surety for the DKG quarry operations in Emery County. We had suspended proceeding with this paperwork until the BLM State Office clarified their surety requirements for this operation. The Division was not able to proceed with the public notice and public comment period as indicated in our tentative approval letter of July 18, 1995, but we will begin the process in the next several days.

The BLM has informed us they cannot recognize the \$10,000 "License and Permit Bond" from Western Surety Company posted by DKG with Emery County for reclamation of the mine site. The Division also cannot recognize this \$10,000 surety posted with Emery County. The simplest way to satisfy the surety requirements of Emery County, the BLM and the Division, would be to post one surety for the total amount with the Division using our joint agency forms. From previous discussions with Bryant Anderson, Emery County would recognize a surety posted with the Division for reclamation of mining disturbances. This recognition would eliminate the need for Diamond K to "double bond" for reclamation of the mine site. The Division can provide the County with a letter stating the reclamation surety for this site will not be released without written notification from them.

To continue the permitting process and receive final approval, DKG will need to provide the following items to the Division: (1) a letter of response to the outstanding items described in the Division's July 18, 1995 letter; (2) a reclamation surety in the amount of \$29,400 which jointly lists the Division and the BLM, and (3) a completed reclamation contract form. After receiving these items, the Division will present the amount and form of surety to the Board of Oil, Gas and Mining for approval. The Division will issue final approval after the Board approves of the surety.

Page 2  
Karen Palmer  
M/015/041  
January 8, 1995

During our phone conversation on January 4, 1996, you indicated the preferred form of surety would be a letter of credit. In this case, please use the joint agency letter of credit form provided by the Division. In the blank lines under the title block of the Letter of Credit form you will need to add: "US Department of the Interior, Bureau of Land Management, 324 South State, Salt Lake City, Utah 84111. In the section after item one, the name of the cooperative agency should be "USDI - Bureau of Land Management."

During our phone discussion on January 4, 1996, you planned on providing drafts of the reclamation contract and letter of credit to the Division prior to January 9, 1996. We would need this information by that date in order to list this item on the docket for the Board's January 24, 1996 hearing. We would need the original signed copies of these documents no later than the day before the Board hearing. As an alternate plan, we would need to receive the documents by February 9 in order to meet the deadline for listing items on the February 28, 1996 Board hearing,

Thank you for your cooperation in completing this permitting action. If you need further assistance in this matter, please contact me or Wayne Hedberg here at the Division.

Sincerely,



Anthony A. Gallegos  
Senior Reclamation Specialist

cc: Bryant Anderson, Emery County  
Neil Simmons, BLM San Rafael RA  
M15-41.let





State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt  
Governor

Ted Stewart  
Executive Director

James W. Carter  
Division Director

355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203  
801-538-5340  
801-359-3940 (Fax)  
801-538-5319 (TDD)

January 5, 1996

CERTIFIED RETURN RECEIPT  
P 074 978 972

Phillip M. Palmer  
Diamond K  
234 North 500 West  
Richfield, Utah 84701

Dear Mr. Palmer:

Re: Public Notice to Owners of Record, Mine Plan Permit, Diamond K, DKG Quarry, M/015/041,  
Emery County, Utah

Pursuant to Rule 647-4-116 of the Utah Division of Oil, Gas and Mining's Minerals Reclamation Program, you are hereby notified of the Division's intent to issue tentative approval for Phillip M. Palmer's permit application for their DKG Quarry in Emery County, Utah. This rule requires that all owners of record of the land affected be notified of said action. A copy of the public notice, that will be published in the local and Salt Lake area newspapers, is attached for your reference and information.

Anyone aggrieved by this tentative decision is hereby advised to file a written protest with this Division setting forth factual reasons why this proposed operation should not be approved. Written objections of substance, received by the Division during the public comment period, will be heard at a hearing before the Board of Oil, Gas and Mining, in accordance with UCA §40-8-18.

Sincerely,

D. Wayne Hedberg  
Permit Supervisor  
Minerals Regulatory Program

jb  
Attachment  
M015041

BEFORE THE DIVISION OF OIL, GAS AND MINING  
DEPARTMENT OF NATURAL RESOURCES  
STATE OF UTAH

---ooOoo---

IN THE MATTER OF TENTATIVE	:	
DECISION TO APPROVE A MINING	:	NOTICE OF TENTATIVE
AND RECLAMATION PLAN FOR	:	DECISION TO APPROVE
DIAMOND K GYPSUM'S	:	NO. M/015/041
DKG QUARRY, EMERY COUNTY,	:	
UTAH	:	

---ooOoo---

THE STATE OF UTAH TO ALL OPERATORS, TAKERS OF  
PRODUCTION, MINERAL AND ROYALTY OWNERS, AND PARTICULARLY ALL  
PERSONS INTERESTED IN SECTION 29, TOWNSHIP 22 SOUTH, RANGE 9 EAST,  
SLBM, EMERY COUNTY, UTAH.

Notice is hereby given by the Division of Oil, Gas and Mining of its tentative  
decision to approve Diamond K Gypsum's Mining and Reclamation Plan for the DKG Quarry.  
Mining activities will effect the following area: NE1/4 SW1/4 and NW1/4 SW1/4 of Section  
29, Township 22 South, Range 9 East, SLBM, Garfield County, Utah.

Diamond K Gypsum has submitted a permit application to expand their existing  
mining operation from a small mining operation to a large mining operation.

The operator will employ the following mining and reclamation techniques on  
approximately 12 acres of Private land.

**During Operations:**

Overburden removal with a 950 Cat Loader and a 280.2 Mitsubishi Trackhoe.  
Cryptobiotic crust (top ~4 inches) is to be salvaged and stockpiled for  
replacement during reclamation. The gypsum deposit is mined using a road  
reclaimer instead of drilling and blasting. There are no onsite processing  
facilities. Mined gypsum is stockpiled onsite and loaded into trucks for  
shipment. No oil, lubricants, or toxic substances will be drained onto the  
ground. Mining performed 6+ months out of the year.

**After Operations:**

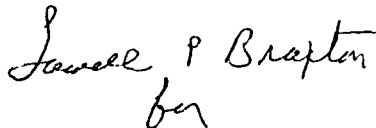
All trash at the site will be removed to an authorized dump or landfill. All disturbed areas will be recontoured to approximate original surface contours. The recontoured area will be furrowed along the contour to leave a rough surface. Salvaged topsoil will be replaced on the recontoured areas. Salvaged cryptogamic soils will be placed on the replaced topsoil. Some reject fines may be placed in the pits as backfill. The disturbed area will be fertilized and seeded using a mix approved by the BLM and DOGM. If necessary, the reclaimed areas may be fenced to prevent damage by cattle grazing while the vegetation is reestablished.

The person representing the company is Mr. Phillip M. Palmer; Phone (801) 896-8870. Diamond K Gypsum is fulfilling obligations under the Utah Mined Land Reclamation Act of 1975, Utah Code Ann. §40-8-18.

Any person or agency aggrieved by this tentative decision to issue approval is hereby requested to submit written protest within thirty (30) days of the date of publication to Lowell Braxton, Associate Director of Mining, Division of Oil, Gas and Mining, 355 West North Temple, 3 Triad Center, Suite 350, Salt Lake City, Utah 84180-1203, setting forth factual reasons for the complaint. If no responsive written protests are received by the Division within 30 days after the last date of publication, the tentative decision of the Division will be final.

DATED THIS 5th day of January, 1996.

STATE OF UTAH  
DIVISION OF OIL, GAS AND MINING

A handwritten signature in cursive script, appearing to read "James W. Carter".

James W. Carter  
Director

M015041.pn



State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt  
Governor  
Ted Stewart  
Executive Director  
James W. Carter  
Division Director

355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203  
801-538-5340  
801-359-3940 (Fax)  
801-538-5319 (TDD)

July 31, 1995

TO: Minerals File

FROM: Tony Gallegos, Reclamation Engineer *adg*

RE: Site Inspection, Diamond K Gypsum, DKG Quarry, M/015/041, Emery County, Utah

Date of Inspection: July 27, 1995  
Time of Inspection: 13:15 - 13:45  
Conditions: Clear, HOT  
Participants: Neil Simmons, BLM, San Rafael Resource Area; Tony Gallegos, DOGM

Purpose of Inspection: To evaluate the current status of the site

The site was active at the time of this inspection. Photographs were taken from a bluff near the road giving a general overview of the site.

At the site we met one of the equipment operators, Brian, who directed us to talk to Richard Stewart, who was operating the road reclaimer. There is presently a stockpile of ore on site. The road reclaimer being used is a Caterpillar R250. Richard indicated they have had the best results by cutting 3 inches in depth with the cutter head. They are leasing this piece of equipment and will be finished with the mining of the gypsum in the next day or so. The ore stockpile will probably last through the remainder of the year. They may not be doing additional mining until next season.

He indicated they may be able to reclaim some of the mined areas this fall after they remove the stockpile materials. I suggested that if they were going to do this, they notify the BLM and the Division. The best time for reclamation would be in the fall and at this particular site that would probably mean in October. I suggested they seed the site as soon as possible after completing the earthwork. They may also be able to seed the disturbed area which they have previously regraded at the same time of the other reclamation. Richard indicated they would probably be able to mine the current pit area down an additional depth of 3-feet or so.

We discussed the status of the large mine permit with Richard and explained the surety/ bonding situation currently being evaluated between the Division of Oil, Gas and Mining, the BLM State office, the BLM Resource Area, and Emery County. I informed Richard I would be contacting Philip or Karen Palmer sometime within the next week to discuss the details of the bonding situation with them.

jb  
cc: Philip Palmer, Diamond K  
John Welsh, Claimant  
Neil Simmons, BLM, San Rafael RA  
M015041.INS



State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt  
Governor

Ted Stewart  
Executive Director

James W. Carter  
Division Director

355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203  
801-538-5340  
801-359-3940 (Fax)  
801-538-5319 (TDD)

July 18, 1995

Karen Palmer  
Diamond K Gypsum  
234 North 500 West  
Richfield, Utah 84701

Re: Tentative Approval, Large Mining Operations Notice of Intention, Diamond K Gypsum Company, DKG Quarry (B&J Placer Claims), M/015/041, Emery County, Utah

Dear Ms. Palmer:

The Division has completed a review of your review response which was received May 30, 1995. After reviewing the additional information, *the Division is now prepared to grant tentative approval of the permit application*. A couple minor review comments are listed below under the applicable Minerals Rule heading. The comments are for clarification purposes only. Please provide a response to those comments requesting information and format your response in a similar fashion.

**R647-4-110 - Reclamation Plan**

*110.5 Revegetation planting program:*

Your May 23, 1995 response, indicates that you have concerns with the Division's January 18, 1995 recommended seedmix, and are experimenting with a seedmix that could alternatively be used. The permit application must include an acceptable revegetation seed mix before permit approval can be granted. Division and BLM approval of the recommended seedmix does not mean that it cannot be changed or revised at a later date, should site conditions and/or testplot results prove otherwise. In order to proceed with tentative approval, we will require that the Division's recommended seedmix be made part of the reclamation plan at this time. (LMK)

Page 2  
Karen Palmer  
M/015/041  
July 18, 1995

#### **R647-4-113 - Surety**

To satisfy the requested reclamation surety amount of \$29,400, Diamond K Gypsum proposes to maintain a \$10,000 Mine Site Reclamation Bond Pledge Agreement in place with Emery County. The operator has agreed to provide this office with a Letter of Credit (LOC), payable to both the Division and BLM. In addition, we will need a letter from Emery County agreeing not to release the \$10,000 bond until we provide them with written confirmation. We are currently waiting to hear from the BLM State Office regarding the acceptable form of surety. Please contact us before proceeding with the surety paperwork. You will also need to complete the enclosed Reclamation Contract (FORM MR-RC) according to the enclosed guideline and return it along with the surety and the letter from Emery County when these documents are ready.

#### **R647-4-116 - Public Notice & Appeals**

The Division will now prepare and publish a public notice of Tentative Approval. The public notice begins a 30-day public comment period. Provided there are no comments of substance received by the Division during the public comment period, we will then present the proposed amount and form of reclamation surety to the Board of Oil, Gas and Mining for approval at their monthly briefing/hearing. After the Board approves of the surety, the Division can grant its final approval of the Large Mining permit.

#### **Condition to final permit approval:**

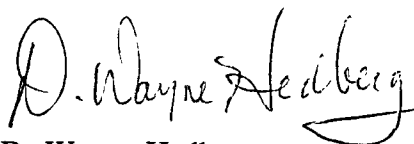
As a condition of final Division approval of the permit application, we request that you consolidate all pertinent permitting correspondence, technical information and maps which constitute the approved permit, and assemble it into one comprehensive volume. This should be submitted to the Division within 60 days of the date of final approval. This consolidated document will be a concise record of the approved mining and reclamation plan for the DKG Quarry. Presently, the permit application (mining and reclamation plan) is comprised of an initial submission and a series of subsequent written responses to technical reviews that are not tied together very well. The final approved document should be formatted so that it can be easily followed and understood by anyone who reads the plan. Ideally, the permit application would be prepared on a word processor, follow each Minerals rule heading sequentially, and include all required information under the appropriate rule subsections. Future mine plan revisions could easily be made by submitting appropriate text modifications to the originally approved word processing document. These changes, once approved by

Page 3  
Karen Palmer  
M/015/041  
July 18, 1995

the Division, could then be directly inserted into the permit as new replacement pages. This action will assist both the operator, the Division and general public in being able to go directly to one detailed, consolidated permitting document that constitutes the approved mine plan for this operation.

If you have any questions in this regard please contact me, Tony Gallegos, or Lynn Kunzler of the Minerals Staff. Thank you for your continued cooperation and patience in completing this permitting action.

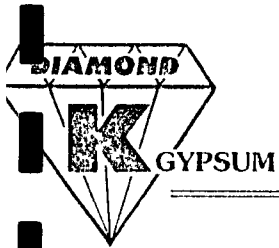
Sincerely,



D. Wayne Hedberg  
Permit Supervisor  
Minerals Regulatory Program

jb  
Enclosures: Joint LOC Form, current MR-RC Form, Guideline for completing MR-RC Form  
cc: Neil Simmons, BLM San Rafael RA  
Bryant Anderson, Emery County Planning & Zoning  
M15-41RV.LET





May 23, 1995

State of Utah  
Department of Natural Resources  
Division of Oil, Gas and Mining  
355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Ut 84180-1203

Att: Tony Gallegos

Re: Plan Review, Diamond K Gypsum, DKG Quarry (B&J Placer  
Claims), M/015/041 (UTU-69860), Emery County, Utah

Dear Tony:

This letter is to address the concerns you had in your letter,  
dated February 8, 1995.

106.5 Existing soil types, location, amount:

Soil testing was completed and a lab report from Utah  
State University is enclosed, which should address the  
concerns of yourself and also Lynn Kunzler. There are  
two testings. One at 4" and one at 8", as requested.

106.6 Plan for protecting & redepositing soils:

We would like you to recommend the necessary fertilizer  
after examination of the testing reports and we agree  
to fertilize with the recommendation by DGOM and BLM.

106.8 Depth to groundwater, extent of overburden, geology:

Elevation of ground water is unknown, however, in mining  
20 feet, we have not encountered water. The depth to the  
local and/or regional aquifer is approximately 220 feet  
to top of the Navajo Sand Stone Aquifer.

109.4 Slope stability, erosion control, air quality, safety:

Application to Utah Department of Environmental Quality,  
Divisions of Water Quality and Air Quality are being  
filed at the same time as the application for the new  
mill facility which is in the process of being built  
soon. Appropriate applications for both the quarry and  
the mill will be processed within the next month.



Page 2  
M/015/041  
May 23, 1995

R647-4-110 - Reclamation Plan

110.2 Roads, highwalls, slopes drainages, pits, etc. reclaimed

We agree to the summary description of the reclamation plan.

110.5 Revegetation planting program:

There is an uncertainty as to the recommended seed mix. Therefore, we are currently experimenting with a seed mix that we could alternatively use. When the growth is completed we will update you on this. Some are growing, some are not, and we want to be sure of the right mixture before we report it to you.

R647-4-113 - Surety

As per our many telephone discussions, I think we have agreed that the bond which is now in place and in the name of Emery County will remain as such and the additional \$19,400 needed to satisfy the needs of the disturbed are will be in the form of a Line of Credit. That should be issued within the next few weeks on the proper forms you have previously sent to us. However, if you have any questions about this, Doug Dennis of Key Bank, said that you could call him and he would verify this to you. His telephone number is 801-625-4616.

We certainly appreciate the close working relationship and the useful information you provide us per telephone calls. It is a pleasure to work with pleasant and informative people, such as yourself.

If there are any further questions, please let me know. I realize we will still have a few things to address.

Sincerely,

*Karen Palmer*

Karen Palmer  
Diamond K Gypsum

cc: Neil Simmons, Blm San Rafael RA  
John Welsh, Owner of claims



State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt  
Governor  
Ted Stewart  
Executive Director  
James W. Carter  
Division Director

355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203  
801-530-5340  
801-359-3940 (Fax)  
801-538-5319 (TDD)

UTAH DIVISION OF OIL, GAS AND MINING  
FACSIMILE COVER SHEET

DATE: April, 1995  
FAX # (801) 896-8893  
ATTN: Karen Palmer  
COMPANY: Diamond K Gypsum  
FROM: Lynn Kunkler  
DEPARTMENT: Ut. Div. Oil Gas & Mining  
NUMBER OF PAGES BEING SENT (INCLUDING THIS ONE): \_\_\_\_\_

If you do not receive all of the pages, or if they are illegible, please call (801) 538-5340.

We are sending from a Murata facsimile machine. Our telecopier number is (801) 359-3940.

MESSAGES:

*sent Soil  
samples 4-11-95  
see copies*

Important: This message is intended for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return this original message to us at the above address via regular postal service. Thank you.



USU Analytical Laboratories

Telephone (801) 750-2217

Oil Testing Lab Plant Analysis Lab

Fax (801) 750-3376

Food Analysis Lab Irrigation Water Analysis Lab

### SOIL CHEMICAL PROPERTIES

Test	Price/sample
1. Standard Fertility Test #1: pH, EC, P, K, texture, lime .....	\$10.00
2. DTPA-extractable micronutrients (ppm Fe, Zn, Cu, Mn) .....	5.00
3. Nitrate-N (available Nitrogen, ppm NO <sub>3</sub> -N)	
Surface (0-12") + Subsurface (12-24" or 12-36") .....	8.00
(required for proper recommendations)	
Single sample.....	6.00
4. Sulfate-S (SO <sub>4</sub> -S) .....	5.00
5. SAR - sodium adsorption ratio .....	5.00
6. Organic carbon (Organic matter) .....	6.00
7. pH - saturation extract .....	2.00
If extract prepared for this test only .....	3.00
8. EC - conductivity of saturation extract and salinity .....	2.00
If extract prepared for this test only .....	3.00
9. Sodium Bicarbonate Extraction	
Phosphorus (P), Potassium (K) - One element .....	5.00
Both elements .....	7.00
10. Nitrogen (Total Kjeldahl) .....	8.00
11. DTPA extractable metals (Fe, Zn, Cu, Mn, Cd, Pb, Ni, Cr) .....	8.00
12. Water-soluble elements (saturation extract)	
Ca, Mg, Na, K, B, SO <sub>4</sub> .....	8.00
Cl, HCO <sub>3</sub> , NO <sub>3</sub> -N (Each) .....	6.00
13. Boron (B) - hot water extract .....	10.00
14. Extractable cations (Ammonium acetate extraction)	
Ca, Mg, Na, K .....	8.00
15. Exchangeable cation percentage (% Ca, Mg, Na, K)	
(Includes tests - CEC, extractable cations, SP,	
(water-soluble element).....	25.00
16. Total element composition (nitric-perchloric digest)	
All elements (Al, As, B, Ca, Cd, Co, Cr, Cu, Fe, K, Mg, Mo,	
Na, Ni, P, Pb, S, Se, Sr, Zn) .....	15.00
One element .....	8.00
17. Total Arsenic or Selenium by hydride analysis (each) .....	15.00
18. Gypsum Requirement .....	10.00
19. Lime (CaCO <sub>3</sub> equivalent) .....	8.00
20. Cation exchange capacity (CEC) .....	12.00
21. Saturation percentage (SP) .....	4.00

### SOIL PHYSICAL PROPERTIES

22. Hydrometer (2 point estimate of % sand,silt,clay) .....	12.00
23. Hydrometer plus sand sieving .....	20.00
24. Coarse sieving (>2mm fraction) .....	3.00
26. Moisture: 1/3 or 15 atm or other (Each) .....	10.00
27. Bulk density (clod method) .....	15.00

All costs must be paid in advance.

15

896-8870 DIAMOND K  
234 NORTH 500 WEST  
RICHFIELD, UTAH 84701

Sample #1 Composite 4" soil test  
Rev. 05/92  
San Raphael B & J Claims 4-11-95



USU Analytical Laboratories

Soil Testing Lab Plant Analysis Lab

Feed Analysis Lab Irrigation Water Analysis Lab

Telephone (801) 750-2217

Fax (801) 750-3376

## SOIL CHEMICAL PROPERTIES

Test	Price/sample
1. Standard Fertility Test #1: pH, EC, P, K, texture, lime .....	\$10.00
2. DTPA-extractable micronutrients (ppm Fe, Zn, Cu, Mn) .....	5.00
3. Nitrate-N (available Nitrogen, ppm NO <sub>3</sub> -N)	
Surface (0-12") + Subsurface (12-24" or 12-36") .....	8.00
(required for proper recommendations)	
Single sample.....	6.00
4. Sulfate-S (SO <sub>4</sub> -S) .....	5.00
5. SAR - sodium adsorption ratio .....	5.00
6. Organic carbon (Organic matter) .....	6.00
7. pH - saturation extract .....	2.00
If extract prepared for this test only .....	3.00
8. EC - conductivity of saturation extract and salinity .....	2.00
If extract prepared for this test only .....	3.00
9. Sodium Bicarbonate Extraction	
Phosphorus (P), Potassium (K) - One element .....	5.00
Both elements .....	7.00
10. Nitrogen (Total Kjeldahl) .....	8.00
11. DTPA extractable metals (Fe, Zn, Cu, Mn, Cd, Pb, Ni, Cr) .....	8.00
12. Water-soluble elements (saturation extract)	
Ca, Mg, Na, K, B, SO <sub>4</sub> .....	8.00
Cl, H <sub>2</sub> O <sub>3</sub> , NO <sub>3</sub> -N (Each) .....	6.00
13. Boron (B) - hot water extract .....	10.00
14. Extractable cations (Ammonium acetate extraction)	
Ca, Mg, Na, K .....	8.00
15. Exchangeable cation percentage (% Ca, Mg, Na, K)	
(Includes tests - CEC, extractable cations, SP,	
(water-soluble element).....	25.00
16. Total element composition (nitric-perchloric digest)	
All elements (Al, As, B, Ca, Cd, Co, Cr, Cu, Fe, K, Mg, Mo,	
Na, Ni, P, Pb, S, Se, Sr, Zn) .....	15.00
One element .....	8.00
17. Total Arsenic or Selenium by hydride analysis (each) .....	15.00
18. Gypsum Requirement .....	10.00
19. Lime (CaCO <sub>3</sub> equivalent) .....	8.00
20. Cation exchange capacity (CEC) .....	12.00
21. Saturation percentage (SP) .....	4.00

## SOIL PHYSICAL PROPERTIES

22. Hydrometer (2 point estimate of % sand,silt,clay) .....	12.00
23. Hydrometer plus sand sieving .....	20.00
24. Coarse sieving (>2mm fraction) .....	3.00
26. Moisture: 1/3 or 15 atm or other (Each) .....	10.00
27. Bulk density (clod method) .....	15.00

All costs must be paid in advance.

DIAMOND K  
234 NORTH 500 WEST  
RICHFIELD, UTAH 84701

16  
Sample #2 Composite 8" soil test  
San Raphael Blvd & Laines

Rev. 05/92

4-11-95

Soil Test Report  
and  
Fertilizer Recommendation

Soil Testing Lab

Utah State University  
Logan, Utah 84322-4830  
(801) 797-2217  
(801) 797-2117 (FAX)

Date Received: 4/14/95

Date Completed: 4/26/95

Name: Diamond K Gypsum

Address: 234 North 500 West

Richfield, Utah 84701

County: Emery

Lab Number: 95010648

Identification: 2 8"

Crop to be Grown:

Soil Test Results		Interpretation	Recommendations
Texture	Loam		
Lime	++	Normal	
pH	7.4	Normal	
Salinity - ECe mmhos/cm	2.7	Normal	
Phosphorus - P ppm	3.7	Very Low	50-70 P <sub>2</sub> O <sub>5</sub> , lbs/A
Potassium - K ppm	66	Low	140-180 K <sub>2</sub> O, lbs/A
Nitrate-Nitrogen - N ppm	3.1		N, lbs/A
Zinc - Zn ppm			Zinc, lbs/A
Iron - Fe ppm			
Copper - Cu ppm			
Manganese - Mn ppm			
Sulfate-Sulfur - S ppm			S, lbs/A

Notes

%Total Nitrogen = .060

CEC (meq/100g) = 6.0

Soil Test Report  
and  
Fertilizer Recommendation

Soil Testing Lab

Utah State University  
Logan, Utah 84322-4830  
(801) 797-2217  
(801) 797-2117 (FAX)

Date Received: 4/14/95  
Date Completed: 4/26/95

Name: Diamond K Gypsum  
Address: 234 North 500 West

Richfield, Utah 84701

County: Emery

Lab Number: 95010647

Identification: 1 4"

Crop to be Grown:

Soil Test Results		Interpretation	Recommendations
Texture	Loam		
Lime	++	Normal	
pH	7.6	Normal	
Salinity - ECe mmhos/cm	2.8	Normal	
Phosphorus - P ppm	9.5	Low	20-40 P <sub>2</sub> O <sub>5</sub> , lbs/A
Potassium - K ppm	100	Adequate	80-120 K <sub>2</sub> O, lbs/A
Nitrate-Nitrogen - N ppm	3.5		N, lbs/A
Zinc - Zn ppm			Zinc, lbs/A
Iron - Fe ppm			
Copper - Cu ppm			
Manganese - Mn ppm			
Sulfate-Sulfur - S ppm			S, lbs/A

Notes

%Total Nitrogen = .095  
CEC (meq/100g) = 8.0

*If you require recommendations, please  
contact the lab.*





State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt  
Governor

Ted Stewart  
Executive Director

James W. Carter  
Division Director

355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203  
801-538-5340  
801-359-3940 (Fax)  
801-538-5319 (TDD)

February 8, 1995

Mr. Phillip Palmer  
Diamond K Company  
234 North 500 West  
Richfield, Utah 84701

Re: Plan Review, Diamond K Company, DKG Quarry (B&J Placer Claims), M/015/041 (UTU-69860), Emery County, Utah

Dear Mr. Palmer:

The Division has reviewed the additional information received January 10, 1995, for your DKG Quarry Operations (B&J Placer Claims). The information was submitted by John Welsh and was copied to the BLM San Rafael Resource Area. After reviewing the information, the Division has the following comments which will need to be addressed before tentative approval may be granted. The comments are listed below under the applicable Minerals Rule heading. *Please format you response in a similar fashion.* Comments in italicized print are taken from the Division's December 19, 1994 review letter.

**106.5 Existing soil types, location, amount:**

*The operator needs to submit results of a soil analysis which includes at a minimum: Texture, pH, Ec, CEC, Total N, Available Phosphorus (as  $P_2O_5$ ), Potassium (as  $K_2O$ ), and Acid/Base potential. This analysis needs to be conducted on both the 4 inches of topsoil and the 8 inches of subsoil.*

One soil analysis was submitted which did not include Ec, CEC or Total N. There is no indication as to whether sampled material is the 4 inches of topsoil or the 8 inches of subsoil. Please submit the analysis as originally requested. (LMK)

**106.6 Plan for protecting & redepositing soils:**

Under the "SOIL FORMATION:" section of your response, you state, "...if it were so decided that reclamation of the South Salt Wash Drainage was desirable, then all of the reclaimed gypsiferous "top soil" should be designed to flush into South Salt Wash Drainage."

Please note, the goal of reclamation is to prevent loss of soil resources by accelerated erosion. Soil materials are to be replaced (respread) in such a manner as to minimize erosion and sediment contribution to the natural drainages. Other portions of your submittal indicate that the final surface will be configured by terracing and contour furrowing, with depressions of all varieties so as to retain moisture. With the exception of terracing (See BLM comments) this is appropriate.

Based on the limited soils data submitted and past experience with similar soils, the Division has recommended a fertilizer application for reclamation. This needs to be incorporated into your plan. (LMK)

**106.7 Existing vegetation - species and amount:**

This section has been adequately addressed. (LMK)

**106.8 Depth to groundwater, extent of overburden, geology:**

*On page 5, Form MR-LMO, Section III, item 4, the applicant lists the depth to groundwater as 6655-6600 feet. Upon closer examination of a USGS topographic map of the area, the Division notes that this appears to represent the surface elevation of the mine area. If this is also the elevation of the local groundwater table please confirm. If not, please provide an estimate of the depth to the local and/or regional aquifer in the vicinity of the mine site. Please provide information to justify/substantiate your depth estimate as well. (DWH)*

The reviewer could find no answer to this question in the operator's January 6, 1995 response. Please provide the requested information. (DWH)

**109.4 Slope stability, erosion control, air quality, safety**

*The Division recommends that all slopes be left at an angle close to their original state of 3h:1v at final reclamation. Has Diamond K received permits or exemptions from permitting requirements from the Utah Department of Environmental Quality, Divisions of Water Quality and Air Quality? (AAG)*

The January 10, 1995, response from DKG did not address this comment. Have permits or exemptions been obtained from the Division of Air Quality and the Division of Water Quality? (AAG)

**R647-4-110 - Reclamation Plan**

**110.2 Roads, highwalls, slopes drainages, pits, etc. reclaimed**

*From correspondence and the Plan of Operations submitted to the BLM, and the MR-LMO form submitted to the Division, we offer the following interpretation of the reclamation plan for this site.*

*No oil, lubricants, or toxic substances will be drained onto the ground. All trash at the site will be removed to an authorized dump or landfill. All disturbed areas are to be recontoured to leave an undulating surface. The Division prefers all slopes to be returned to their approximately original contour or no steeper than 3:1. The recontoured area will be furrowed along the contour to leave a rough surface. Salvaged topsoil will be replaced on the recontoured areas. Salvaged cryptogamic soils will be placed on the replaced topsoil. Some reject fines may be placed in the pits as backfill. The disturbed area will be seeded using a seed mix approved by the BLM (DOGM concurrence is requested). The reclaimed areas may be fenced if necessary, to prevent damage by cattle grazing. The Division will require that any drainages impacted by this operation be left in a stable condition.*

*Please confirm or clarify this interpretation of the reclamation planned for this site.  
(AAG)*

This section was not responded to in the January 10, 1995 DKG response. Please indicate your agreement/disagreement with this summary description of the reclamation plan. (AAG)

**110.5 Revegetation planting program:**

*It is our understanding that the operator is in the process of having the revegetation seed mix revised by the University of Utah. Before a new seed mix is used, it must be approved by the Division and the BLM.*

The University of Utah may not be aware of the Division's or the BLM's requirements and standards for revegetation. The submitted seed mix is not acceptable. After reviewing the vegetation information submitted, and from past reclamation experience in similar environments, the Division has prepared a recommended seed mix (with BLM concurrence) that should be appropriate for your site. If the attached seed mix is acceptable to you, please make it part of your reclamation plan. Otherwise, please propose an alternate seed mix for Division and BLM approval. (LMK)

Page 4  
Phillip Palmer  
M/015/041  
February 8, 1995

**R647-4-113 - Surety**

The January 10, 1995, DKG response referred to a reclamation bond for approximately 12 acres in Area A being set at \$2,000 per acre. This seems to refer to the BLM's bonding threshold for mining disturbances which do not involve cyanide. The Division does not have such a limit on bonding. Our reclamation estimate attached to the December 19, 1994 letter, estimated reclamation costs at the DKG site to be \$29,400 in terms of 1999 dollars. It should be noted that the BLM's bonding does not include escalation, while our estimate includes five years of escalation as required by the Board of Oil, Gas and Mining. The Division will require that a surety in the amount of \$29,400 be posted for this operation.

The Division is aware of DKG's \$10,000 bond posted with Emery County for reclamation of surface disturbances as required by their zoning ordinances. Mr. Bryant Anderson has indicated Emery County would recognize a surety posted with the Division for reclamation of the DKG mine site in lieu of the \$10,000 bond, provided the Division contacts the County prior to releasing the surety. This would allow DKG to post one surety with the Division which would satisfy the requirements of all three regulatory entities (Division, BLM and Emery County).

The Division will suspend further review of the DKG Quarry (B&J Placer Claims) NOI until your response to this letter is received. If you have any questions in this regard please contact me, Tony Gallegos, or Lynn Kunzler of the Minerals Staff. If you wish to arrange a meeting to discuss this review, please contact us at your earliest convenience. Thank you for your cooperation in completing this permitting action.

Sincerely,



D. Wayne Hedberg  
Permit Supervisor  
Minerals Regulatory Program

jb  
Attachment: Recommended Revegetation Species List  
cc: Neil Simmons, BLM San Rafael RA  
M15-41.RVW

Recommended Revegetation Species List  
for

Diamond K Company  
DKG Quarry (B & J Placer Claims)  
M/015/041

<u>Common Name</u>	<u>Species Name</u>	<u>*Rate lbs/ac (PLS)</u>
Galleta grass	<u>Hilaria jamesii</u>	1.0
Indian ricegrass	<u>Oryzopsis hymenoides</u>	2.0
Needle & thread grass	<u>Stipa Comata</u>	1.0
Yellow Sweetclover	<u>Melilotus officinalis</u>	0.5
Scarlet globemallow	<u>Sphaeralcea coccinea</u>	0.5
4-wing saltbush	<u>Atriplex canescens</u>	1.0
Shadscale	<u>Atriplex confertifolia</u>	1.0
Rubber Rabbitbrush	<u>Chrysothamnus nauseosus</u>	0.5
Winterfat	<u>Eurotia lanata</u>	1.0
Forage Kochia	<u>Kochia prostrata</u>	0.5
Total Seed		9.0 lbs/ac

Fertilizer recommendations:

Ammonium nitrate (33-0-0)	50 pounds/acre
Diammonium phosphate (18-46-0)	50 pounds/acre

\* This seed/fertilizer recommendation was discussed with Mr. Neil Simmons of the BLM.  
The BLM will accept these recommendations.

Prepared by DOGM January 18, 1995

M015/041.sdm



State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt  
Governor

Ted Stewart  
Executive Director

James W. Carter  
Division Director

355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203  
801-538-5340  
801-359-3940 (Fax)  
801-538-5319 (TDD)

December 19, 1994

Mr. Phillip Palmer  
Diamond K Company  
234 North 500 West  
Richfield, Utah 84701

Re: Plan Review, Diamond K Company, DKG Quarry (B&J Placer Claims), M/015/041 (UTU-69860), Emery County, Utah

Dear Mr. Palmer:

The Division has completed a review of your Notice of Intention to Commence Large Mining Operations for the B&J Placer Claims Gypsum Mine, located in NE/4 SW/4 section 29, T22S, R9E Emery County, Utah, which was received November 30, 1994. After reviewing the information, the Division has the following comments which will need to be addressed before tentative approval may be granted. The comments are listed below under the applicable Minerals Rule heading. Please format your response in a similar fashion.

**R647-4-104 - Filing Requirements and Review Procedures**

The Division is aware of the BLM San Rafael Resource Area's November 10, 1994, Notice of Decision granting approval of the Plan of Operations as amended on October 17, 1994. The BLM has requested a bond in the amount of \$24,000 (\$2,000/acre for 12 acres) be posted.

**R647-4-106 - Operation Plan**

**106.3 Estimated acreages disturbed, reclaimed, annually.**

Diamond K's submission indicates approximately 7.4 acres are currently disturbed. Approximately 4 acres are scheduled for reclamation prior to the end of 1994. An additional 5 acres of disturbance are proposed for 1995. An earlier submission to the BLM proposed an expansion to a total disturbed area of 15 acres. No schedule was provided for the increase in disturbance, therefore, the Division will assume Diamond K proposes to post a surety for the entire 12 acres of disturbance at this time. (AAG)

**106.5 Existing soil types, location, amount:**

The operator needs to submit results of a soil analysis with includes at a minimum: Texture, pH, Ec, CEC, Total N, Available Phosphorus (as  $P_2O_5$ ), Potassium (as  $K_2O$ ), and Acid/Base potential. This analysis needs to be conducted on both the 4 inches of topsoil and the 8 inches of subsoil. (LMK)

**106.6 Plan for protecting & redepositing soils:**

The Division needs the soil analysis requested under 106.5 above, before a decision as to what type(s) of fertilizer or other soil amendments may be needed to achieve successful reclamation. (LMK)

**106.7 Existing vegetation - species and amount:**

Apparently the operator has conducted field studies of vegetation resources in the area. Submittal of this information is pending analysis. The operator will submit a copy of the report when the University of Utah completes it. The Division will need this information before we can offer our final approval of the large mining application. (LMK)

**106.8 Depth to groundwater, extent of overburden, geology:**

On page 5, Form MR-LMO, Section III, item 4, the applicant lists the depth to groundwater as 6655-6600 feet. Upon closer examination of a USGS topographic map of the area, the Division notes that this appears to represent the *surface* elevation of the mine area. If this is also the elevation of the local groundwater table please confirm. If not, please provide an estimate of the depth to the local and/or regional aquifer in the vicinity of the mine site. Please provide information to justify/substantiate your depth estimate as well. (DWH)

**R647-4-109 - Impact Assessment**

**109.1 Impacts to surface & groundwater systems**

It is the Division's opinion that if the operator continues to implement and maintain appropriate erosion and sediment control structures (as described in the plan of operations), there will be minimal/negligible impacts to the local hydrologic regime (eg., South Salt Wash drainage). (DWH)



#### **109.4 Slope stability, erosion control, air quality, safety**

The Division recommends that all slopes be left at an angle close to their original state or 3h:1v at final reclamation. Has Diamond K received permits or exemptions from permitting requirements from the Utah Department of Environmental Quality, Divisions of Water Quality and Air Quality? (AAG)

#### **R647-4-110 - Reclamation Plan**

##### **110.2 Roads, highwalls, slopes, drainages, pits, etc., reclaimed**

From correspondence and the Plan of Operations submitted to the BLM, and the MR-LMO form submitted to the Division, we offer the following interpretation of the reclamation plan for this site.

*No oil, lubricants, or toxic substances will be drained onto the ground. All trash at the site will be removed to an authorized dump or landfill. All disturbed areas are to be recontoured to leave an undulating surface. The Division prefers all slopes to be returned to their approximately original contour or no steeper than 3:1. The recontoured area will be furrowed along the contour to leave a rough surface. Salvaged topsoil will be replaced on the recontoured areas. Salvaged cryptogamic soils will be placed on the replaced topsoil. Some reject fines may be placed in the pits as backfill. The disturbed area will be seeded using a seed mix approved by the BLM (DOGM concurrence is requested). The reclaimed areas may be fenced if necessary, to prevent damage by cattle grazing. The Division will require that any drainages impacted by this operation be left in a stable condition.*

Please confirm or clarify this interpretation of the reclamation planned for this site.  
(AAG)

##### **110.5 Revegetation planting program:**

It is our understanding that the operator is in the process of having the revegetation seed mix revised by the University of Utah. Before a new seed mix is used, it must be approved by the Division and the BLM. (LMK)

Page 4  
Phillip Palmer  
M/015/041  
December 19, 1994

**R647-4-112 - Variance**

No variances were requested in this application.

**R647-4-113 - Surety**

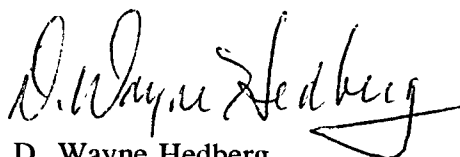
The BLM has indicated that if the Division's reclamation surety estimate for this project is higher than the BLM estimate (12 acres at \$2,000/acre) Diamond K may post the surety with the Division and provide evidence of this to the BLM State Office. A draft reclamation surety estimate has been prepared by the Division and is attached. The draft amount is \$29,400 in terms of 1999 dollars. This estimate is based on third party costs and includes mobilization, supervision and five years of escalation. The Board of Oil, Gas and Mining has instructed the Division to escalate all new surety estimates five years into the future. Please review our draft estimate and provide us with any comments you may have. (AAG)

Once the reclamation surety amount has been agreed upon, please let us know what form of surety Diamond K wishes to post, so that we may provide you with the appropriate forms. Since federal lands are involved, we request that the surety be made out jointly to the BLM and the Division.

**R647-4-116 - Public Notice & Appeals**

The Division will suspend further review of the B&J Placer Claims Gypsum Mine NOI until your response to this letter is received. If you have any questions in this regard please contact me, Tony Gallegos, or Lynn Kunzler of the Minerals Staff. If you wish to arrange a meeting to sit down and discuss this review, please contact us at your earliest convenience. Thank you for your cooperation in completing this permitting action.

Sincerely,



D. Wayne Hedberg  
Permit Supervisor  
Minerals Regulatory Program

jb  
Attachment  
cc: Neil Simmons, BLM San Rafael RA  
Opie Abeyta, BLM State Office  
Lowell Braxton, DOGM  
M15-41.RVW

**RECLAMATION ESTIMATE****DRAFT**

Diamond K - Phillip M. Palmer

last revisio 12/14/94

B &amp; J Placer Claims - Gypsum Mine

filename M15-41.WQ2

M/015/041

Emery County, Utah

Prepared by Utah State Division of Oil, Gas &amp; Mining

*Details of Final Reclamation**-Reclamation consists of earthwork and revegetation; no structures are present**-Disturbed areas to be recontoured to leave an undulating surface**-Recontoured areas to be furrowed along the contour to leave a rough surface**-Cryptogamic soils (upper 4 inches) salvaged & replaced 6,389 CY est**-Overburden stockpiled & replaced in pit(used 2 ft depth) 38,720 CY est**-All trash & debris to be removed to an authorized dump or landfill**-Disturbed areas to be seeded using the BLM seed mix recommendation**-Buffer area 100 ft wide to be left between Moore road and mine site (???)**-All impacted drainages to be restored to pre-mining condition (DOGM)**-All slopes left at approximate original contours or 3h:1v**-BLM surety estimate is \$2,000/acre x 12 acres = \$24,000**-Estimated total disturbed acreage = 12.0*

<u>Activity</u>	<u>Amount</u>	<u>\$/unit</u>	<u>\$</u>
Regrade pit areas	12 acre	436	5,232
Place overburden	38,720 CY	0.27	10,454
Place cryptogamic soils	6,389 CY	0.27	1,725
Furrow & seed disturbed areas	12 acre	250	3,000
Remove trash & debris	12 acre	100	1,200
Restore drainage-ASSUMED LF	250 LF	1.8	450
Mobilization	1 equip	1,000	1,000
	Subtotal		23,061
	Add 5% supervision		1,153
	Subtotal		24,214
	Add 10% contingency		2,421
	Subtotal in 1994 -\$		26,636
	Add 5 yr escalation at 2.01%		2,787
	Total 1999-\$		29,423

**Rounded Total in 1999-\$****\$29,400**

Average cost per acre =

\$2,450

**DRAFT**

File #: M / /  
Date Approved: / /  
DOGM Lead:

STATE OF UTAH  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING  
355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203  
Telephone: (801) 538-5340

NOTICE OF INTENTION TO COMMENCE LARGE MINING OPERATIONS

The informational requirements in this form are based on provisions of the Mined Land Reclamation Act, Title 40-8, Utah Code Annotated 1953, General Rules and Rules of Practice and Procedures.

This form applies only to mining operations which disturb or will disturb greater than five acres at any given time.

"MINING OPERATIONS" means those activities conducted on the surface of the land for the exploration for, development of, or extraction of a mineral deposit, including, but not limited to, surface mining and the surface effects of underground and in situ mining, on-site transportation, concentrating, milling, evaporation, and other primary processing.

"Mining operation" does not include: the extraction of sand, gravel, and rock aggregate; the extraction of oil and gas as defined in Chapter 6, Title 40; the extraction of geothermal steam; smelting or refining operations; off-site operations and transportation; or reconnaissance activities which will not cause significant surface resource disturbance or involve the use of mechanized earth-moving equipment such as bulldozers or backhoes.

PLEASE NOTE: If extra space is required to complete a section, please attach additional sheets and include cross-referenced page numbers as necessary. The operator may submit this information on an alternate form, however the same or similar format must be used.

**I. GENERAL INFORMATION (Rule R647-4-104)**

1. Mine Name: DKG QUARRY
2. Name of Applicant or Company: Phillip and Karen Palmer dba Diamond K Gypsum  
Corporation ( ) Partnership ( ) Individual (☒)

3. Permanent Address: 234 North 500 West  
Richfield, Ut 84701

4. Company Representative (or designated operator):

Name: Phillip Palmer  
Title: Owner  
Address: 234 North 500 West, Richfield, Ut 84701  
Phone: 801-896-8870

5. Location of Operation: .

County(ies) Emery  
NE 1/4 of SW 1/4, Section: 29 Township: 22S Range: 9E  
1/4 of 1/4, Section: Township: Range:  
1/4 of 1/4, Section: Township: Range:

6. Ownership of the land surface (circle which applies): Private (Fee),  
Public Domain (BLM), National Forest (USFS), State of Utah or other:

San Rafael Resource  
Name: Area BLM Moab District Address: 900 N 700 E, Price, Ut 84501  
Name: Address:  
Name: Address:  
Name: Address:

7. Owner(s) of record of the minerals to be mined:

Name: John E. Welsh Address: 4780 Bonair St, Holladay, Ut 84117  
Name: Address:  
Name: Address:  
Name: Address:

8. Have the above owners been notified in writing? Yes x No \_\_\_\_\_  
If no, why not? \_\_\_\_\_

9. Does the operator have legal right to enter and conduct mining operations on the land covered by this notice? Yes X No \_\_\_\_\_.

## II. MAPS, DRAWINGS & PHOTOGRAPHS (Rule R647-4-105)

### 1. Base Map

A complete and correct topographic base map (or maps) with appropriate contour intervals must be submitted with this notice which show all of the items on the following checklist. The scale should be approximately 1 inch = 2,000 feet (preferably a USGS 7.5 minute series or equivalent topographic map where available) showing the location of lands to be affected in sufficient detail to permit calculation of proposed surface disturbance.

Scale 1 inch=1,000 feet U.S.G.S. Topograph Sid and Charlie Quardrangle  
Map Checklist

Please check off each section as it is drawn on the map(s). Does the map show:

- |   |   |
|---|---|
| (a) Property boundaries of surface ownership of all lands which are to be affected by the mining operations;  | <u>Claim BJ-2 #UMC 212727</u>   |
| (b) Perennial streams, springs and other bodies of water, roads, buildings, landing strips, electrical transmission lines, water wells, oil and gas pipelines, existing wells or boreholes, or other existing surface or subsurface facilities within 500 feet of the proposed mining operations; | South Salt Wash dry wash carries water only on flash floods<br>_____  |
| (c) Proposed route of access to the mining operations from nearest publicly maintained highway (Map scale appropriate to show access);  | Moore Road Rt 1612 access immediately from County Road  |
| (d) Known areas which have been previously impacted by mining or exploration activities within the proposed land affected;  | _____ None _____  |
| (e) Acreages proposed to be disturbed or reclaimed each year (or other suitable time period).   | 7 acres disturbed thru 1994 (4) acres will<br>3 acres net non reclaim ed.<br>5 acres planned newly disturbed thru 1995<br>8 acres total disturbed thru 1995 |

### 2. Surface Facilities Map

A surface facilities map shall be provided at a scale of not less than 1" = 500'. Area Photograph 1" = 250'

Map Checklist

Please check off each section as it is drawn on the map. Does the map show:

- (a) Proposed surface facilities, including but not limited to buildings, stationary mining/processing equipment, roads, utilities, power lines, proposed drainage control structures, and the location of topsoil storage areas, overburden/waste dumps, tailings or processed waste facilities, disposal areas for overburden, solid and liquid wastes, and wastewater discharge, treatment and containment facilities; Natural drainages N & S of Quarry Area drain into South Salt Wash. Top Soil stockpiled within quarry
- (b) A border clearly outlining the extent of the surface disturbed area proposed to be affected by mining, and the number of acres proposed to be affected; Borders of quarry on 1" +250' Photo and 1' = 1000' Map
- (c) The location of known test borings, pits, or core holes. None

3. **Additional Maps** Included 1" = 1000' Topographic Map  
1" = 250' Aerial photo flown Sept 1993

Additional maps and drawings may be required as applicable in accordance with Rule R647-4-105.3.

### III. OPERATION PLAN (Rule R647-4-106)

1. **Mineral(s) to be mined:** Gypsum Rock
2. **Acreage to be disturbed:**
- |  |                         |
|--|-------------------------|
| Minesite (operating, storage, disposal areas, etc.): | <u>12 acres maximum</u> |
| Access/haul roads/conveyors:                         | <u>Within Quarry</u>    |
| Associated on-site processing facilities:            | <u>None</u>             |
| <b>Total:</b>  | <u>12 acres Maximum</u> |
3. **Describe methods and procedures to be employed for mining, on-site processing and concurrent reclamation.**

Mining is done with a road reclaimer. There is no onsite processing. 4-5 acres are currently be reclaimed.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



4. Elevation of groundwater (if known): 6655-6600 ft.
5. Thickness of soil material to be stockpiled: 12' inches  
Area from which soil material can be salvaged: 5 acres  
Volume of soil to be stockpiled: 1 acre = 4900 sq yds 8200 cu. yds.  
(cross reference with item IV-17)
6. Thickness of overburden: 0 ft.
7. Thickness of mineral deposit: 0' - 12' ft.
8. Volume of refuse, tailings, and processing waste stockpiles: 0 cu. yds.
9. Acreage and capacity of tailings ponds  
and water storage ponds to be constructed: 0 acres  
 Acre-Foot
10. Describe how topsoil or subsoil material will be removed, stockpiled and protected: The first 4" of topsoil is taken off with a loader,  
stockpiled, then the remaining topsoil is taken off and also  
stockpiled, then replaced when mining is completed.
11. Describe how overburden material will be removed and stockpiled:  
Overburden is B-Zone of top soil, not differentiated  
from soil in (10)
12. Describe how tailings, waste rock, rejected materials, etc. will be disposed of:  
NONE
13. Potentially deleterious materials must be analyzed for toxicity. Describe the nature of any deleterious materials which will be used, encountered, or generated onsite (See Rule R647-1-004):  
No natural toxic rocks in the deposit  
All foreign materials (oil, etc) will be removed  
Specify analyses to be conducted on these materials. NONE

**NOTE:** The Division may stipulate additional analyses.

14. For each tailings pond, sediment pond, or other major drainage control structures, attach design drawings and typical cross-sections. NONE

15. Describe any proposed effluent discharge points (UPDES) and show their location on the map provided under Rule R647-4-105.2. Give the proposed discharge rate and expected water quality. Attach chemical analyses of such discharge if available. Drainage gullies show on enclosed photo scale 1" = 250'; these are dry washes in South Salt Creek

16. **Vegetation** - The operator is required to return the land to a useful condition and reestablish at least 70 percent of the premining vegetation ground cover.

The ground cover percentage figure is determined by sampling and averaging the vegetation type(s) on the areas to be mined (see Attachment I for suggested sampling methods).

- (a) Vegetation Survey - The following information needs to be completed based upon the vegetation survey:

Sampling method used Line intercept Method  
 Number of plots or transects 4 line of 100'

<u>Ground Cover</u>	<u>Percent</u>
Vegetation (perennial grass, forb and shrub cover)	<u>10</u>
Litter	<u>0</u>
Rock/rock fragments	<u>25</u>
Bare ground	<u>65</u>
	<u>100%</u>
Revegetation Requirement - 70 percent of above vegetation figure)	<u>7</u> %

\*\*\*\* List the four (4) predominant perennial species of vegetation growing on the area.  
John Welsh will send information as soon as it is completed  
by the University of Utah.

- (b) Photographs - The operator may submit photographs (prints) of the site sufficient to show existing vegetation conditions. These photographs should show the general appearance and condition of the area to be affected and may be utilized for comparison upon reclamation of the site. Photographs should be clearly marked as to the location, orientation and the date that the pictures were taken.

17. **Soils** - The plan shall include an order 3 Soil Survey (or similar) and map. This information is needed to determine which soils are suitable for stockpiling for revegetation. This soil data may be available from the local Soil Conservation Service office, or if on public lands, from the land management agency. The map needs to be of such scale that soil types can be accurately determined on the ground (see Attachment I). Only gypsiferous soil

- (a) Each soil type to be disturbed needs to be field analyzed for the following:

Depth of soil material	<u>12</u> inches
Volume (for stockpiling)	<u>8200</u> cu. yds.
Texture (field determination)	<u>soft, granular with</u>
pH (field determination)	<u>rock fragments</u>

(cross reference with item IV - 5)

- (b) Where there are problem soil areas (as determined from the field examination) laboratory analysis may be necessary. Soil samples to be sent to the laboratory for analysis need to be about one pint in size, properly labeled, and in plastic bags. Each of the soil horizons on some sites may need to be sampled. Gypsiferous soils

18. **Provide a narrative description of the geology of the area and/or a geologic cross section:** Three egree west dipping gypsum rock bed of the Jurassic Carmel Formation dissected by dry wash gullies draining during flash floods into South Salt Wash dry drainage

#### IV. IMPACT ASSESSMENT (Rule R647-4-109)

Please provide a general narrative description identifying potential surface and/or subsurface impacts. Where applicable, this description should include surface and groundwater systems, threatened or endangered species or their critical habitats, existing soil resources for reclamation, slope stability, erosion control, air quality, and public health and safety.

No impact

---



---



---



---



---



---



---

V. RECLAMATION PLAN (Rule R647-4-110)

1. List current land use(s) other than mining: margined grazing

2. List future post-reclamation land-use(s) proposed: Improved forage  
for marginal grazing

3. Describe each phase of reclamation of the minesite in detail under the following categories:

(a) Disposal of Trash

Describe how buildings, foundations, trash and other waste materials will be disposed of. All materials removed to approved public disposal site in Emery or Sevier Counties.

(b) Backfilling and Grading

Describe equipment and methods to be employed, amount of materials to be moved and final disposition of any stockpiled materials. \_\_\_\_\_

Materials will be replaced by using a excavator, loader, and dozer. It will be put back to original contour and approved terracing.

(c) Soil Material Replacement

In order to reestablish the required ground cover, one to two feet (depending on underlying material) of suitable soil material usually has to be redistributed on the areas to be reseeded. If the stockpiled soil isn't sufficient for this, soil borrow areas will need to be located.

How much soil material is planned to be put on the area to be reseeded?

12 inches

Where will this material come from? on-site stockpile of gypsiferous top soil

How will it be transported and spread? dozer then draged

(d) Seed Bed Preparation

Describe how the seedbed will be prepared and equipment to be used. \_\_\_\_\_  
 dragged with wire screen \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

(The Division recommends ripping or discing six inches deep)

(e) Seed Mixture - List the species to be seeded:

\*\*\*\*

<u>Species Name</u>	<u>Seeding Rate</u> <u>(lbs Pure Live Seed/Acre)</u>
John Welsh will send the information as soon as it completed	
by University of Utah	
_____	_____
_____	_____
_____	_____
_____	_____

(The Division recommends seeding 20 lbs./acre of native and introduced adaptable species of grass, forb, and browse seed and will provide a specific species list if requested)

(f) Seeding Method

Describe method of planting the seed. \_\_\_\_\_ broadcasted then raked \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

(The Division recommends planting the seed with a rangeland or farm drill, or if broadcast seeded, harrow or rake the seed 1/4 to 1/2 inch into the soil. Fall is the preferred time to seed)

(g) Fertilization

Describe fertilization method and rate. \_\_\_\_\_ None \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

(h) Other Revegetation Procedures

If other reclamation procedures, such as mulching, irrigation, etc., are planned, describe them. \_\_\_\_\_ None \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

VI. VARIANCE (Rule R647-4-112)

Any planned deviations from Rule R647-4-007 (Operating Practices), R647-4-108 (Hole

Plugging Requirements), or Rule R647-4-111 (Reclamation Practices) must be identified below.

NONE

<u>Rule Number</u>	<u>Title/Category</u>
_____	_____
_____	_____
_____	_____
_____	_____

For each variance requested, attach a narrative statement describing and delineating the area proposed to be affected by the variance, justifying the need for the variance, and discussing alternate methods or measures to be utilized.

#### VII. SURETY (Rule R647-4-113)

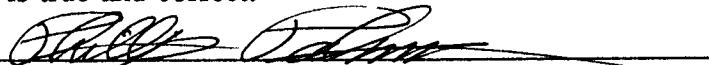
A Reclamation surety must be provided to the Division prior to final approval of this application. In calculating this amount, the Division will consider the following major steps:

- 1) Clean-up and removal of structures.
- 2) Backfilling, grading and contouring.
- 3) Soil material redistribution and stabilization.
- 4) Revegetation (preparation, seeding, mulching)

To assist the Division in determining a reasonable surety amount, please attach a reclamation cost estimate which addresses each of the above steps.

#### VIII. SIGNATURE REQUIREMENT

I hereby certify that the foregoing is true and correct.

Signature of Operator/Applicant: 

Name (typed or print): Phillip Palmer

Title/Position (if applicable): Operator

Date: 11-28-94

#### PLEASE NOTE:

Section 40-8-13(2) of the Mined Land Reclamation Act provides for maintenance of confidentiality concerning certain portions of this report. Please check to see that any information desired to be held confidential is so labeled and included on separate sheets or maps.

Only information relating to the location, size or nature of the deposit may be protected as confidential.

Confidential Information Enclosed: ☒ Yes ☐ No

## Attachment I

### Vegetation Cover Sampling

Vegetation cover sampling determines the amount of ground that is covered by live vegetation. It is divided into four categories which equal 100 percent. They are:

Vegetation - This is the live perennial vegetation. Care should be taken to avoid sampling in disturbed areas that have a large percentage of annual or weedy vegetation, such as cheatgrass and russian thistle.

Litter - This is the dead vegetation on the ground, such as leaf and stem litter.

Rock/rock fragments - This is the rock and rock fragments on the soil surface.

Bare ground - This is the bare soil which is exposed to wind and water erosion.

Cover Sampling - The following methods are acceptable:

#### Ocular Estimation

This method visually estimates the percentage of ground covered in a plot by the four components. Plot size is usually a meter or yard square or a circular plot 36 inches in diameter. Ten to 20 plots should be randomly sampled in each major vegetation type.

#### Line Intercept

Percent ground cover is obtained by stretching a tape measure (usually 100') over the ground and then recording which of the four components is under each foot mark. At least two of these transects should be randomly laid out and measured in each major vegetation type.

### Soil Survey and Sampling Methods

If a SCS or land management agency soil survey is not available, the operator shall delineate all soil types that will be disturbed by mining on a map. Each soil type shall be sampled for its characteristics and inherent properties. Representative sampling locations should have similar geologic parent material, slopes, vegetative communities and aspects. The sampling locations should be representative of the soil type and be identified on the map. Sampling shall be at a minimum of one (1) for each soil type disturbed.

The soil map needs to be of sufficient scale so that each soil type can be accurately located on the ground.

Wast



PROJECT DIAMOND "X" GYPSUM is NE1/4, SW1/4 sec 29, T22S, R9E. Emery Co. UT.



7 acres disturbed in Diamond K Quarry through 1994 - photo above Sept. 1994  
Reclamation 4 acres plus adjacent to Moore Road in Fall 1994  
1995 Production from 5 acres West of Present Quarry toward Salt Creek Drainage



# United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Moab District

San Rafael Resource Area

900 North 700 East

Price, Utah 84501



IN REPLY REFER TO:

3809

(UTU-69860)

(UT-067)

CERTIFIED MAIL--Return Receipt Requested  
Certification No. 118 951 436

NOV 10 1994

## NOTICE OF DECISION

Phillip M. Palmer  
234 North 500 West  
Richfield, Utah 84701

Your plan amendment concerning the expansion of the existing gypsum mine is approved subject to the following conditions:

1. The plan amendment shall be made part of the approval.
2. All other previous conditions as modified shall continue to be in effect.

Approval of this plan amendment will not now or in the future serve as a determination of the ownership or the validity of any mining claim to which it may relate. You shall comply with all Federal, state, and local rules and regulations.

A reclamation bond in the amount of \$24,000.00 shall be required within 90 days from receipt of this letter. Bonding requirements can be met by individual cash bond, cash, or negotiable securities of the United States deposited and maintained in a Federal depository account of the United States Treasury or a corporate surety bond. If the Utah Division of Oil, Gas, and Mining requires a reclamation bond in excess of the above amount, you may submit a bond to the State of Utah, providing you submit evidence of the action to the Mining Claims Adjudication Section, Utah State Office, Bureau of Land Management.

Costs for determining the amount of the reclamation costs for the bond are as follows:

Mobilization	\$ 600.00
Recontouring @ \$1.00/c.y	15,500.00
Seedbed Preparation @ \$100.00/acre	1,200.00
Seeding @ \$200.00/acre	2,400.00
Demobilization	600.00
Subtotal	\$20,300.00
Administrative Costs @ 25 percent	5,075.00
Total	\$25,375.00

Since reclamation bonding is capped at \$2,000.00 per acre and the calculated reclamation costs exceed the allowable bond amount for the 12-acre disturbance, a bond in the amount of \$24,000.00 shall be required. If reclamation is deemed to be successful and less than 12 acres are disturbed, the bond amount can be reduced accordingly. The bond amount may be appealed. You have the right to appeal to the Utah State Director, Bureau of Land

Management, in accordance with 43 CFR 3809.4. If you exercise this right, your appeal, accompanied by a statement of reasons and any arguments you wish to present which would justify reversal or modification of the decision, must be filed in writing within 30 days from the date of this decision. This decision will remain in effect during the appeal unless a written request for a stay is granted.

*Ronell J. Duen*  
Area Manager

cc: Bryant Anderson  
Emery County Planning and Zoning  
P.O. Box 297  
Castle Dale, Utah 84513  
Kiran Bhayani  
Utah Department of Environmental Health  
Division of Water Quality  
P.O. Box 16690  
Salt Lake City, Utah 84116-0690  
Tony Gallegos  
Division of Oil, Gas and Mining  
355 West North Temple Street  
3 Triad Center  
Salt Lake City, Utah 84180-1203  
John E. Welsh  
4780 Bonair Street  
Holladay, Utah 84117



# United States Department of the Interior

BUREAU OF LAND MANAGEMENT  
Moab District  
San Rafael Resource Area  
900 North 700 East  
Price, Utah 84501



3809  
(UTU-69860)  
(UT-067)

Phillip M. Palmer  
234 North 500 West  
Richfield, Utah 84701

OCT 18 1994

Dear Mr. Palmer:

We have received and reviewed your proposed plan amendment to your BJ gypsum mine in Emery County, Utah and have determined that the amendment is complete as of October 17, 1994. We expect to complete processing of the amendment within 30 days; however, if more time is required, we shall notify you prior to the end of the 30-day period.

If you have any questions, please feel free to contact Neil Simmons of my staff at (801)-637-4584.

Sincerely,

*Penelope J. Dunn*  
Area Manager

cc: Bryant Anderson  
Emery County Planning and Zoning  
P.O. Box 297  
Castle Dale, Utah 84513  
Kiran Bhayani  
Utah Department of Environmental Health  
Division of Water Quality  
P.O. Box 16690  
Salt Lake City, Utah 84116-0690  
Tony Gallegos  
Division of Oil, Gas and Mining  
355 West North Temple Street  
3 Triad Center  
Salt Lake City, Utah 84180-1203  
John E. Welsh  
4780 Bonair Street  
Holladay, Utah 84117



State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt  
Governor  
Ted Stewart  
Executive Director  
James W. Carter  
Division Director

355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203  
801-538-5340  
801-359-3940 (Fax)  
801-538-5319 (TDD)

October 14, 1994

TO: Minerals File

FROM: Tony Gallegos, Reclamation Engineer *aa*

RE: Site Inspection, Diamond K, Phillip Palmers DKG Quarry, S/015/041,  
(UTU-69860) Emery County, Utah

Date of Inspection: October 7, 1994  
Time of Inspection: 1218 - 1250  
Conditions: Sunny, cool  
Participants: Tony Gallegos, DOGM

Purpose of Inspection: To familiarize Division staff with the site.

There was no one present at the site during this inspection. There were haul trucks parked at the access road into this mine site. The haul trucks, it turned out, were Georgia Pacific's haul trucks from their nearby gypsum mine.

On the site was a caterpillar brand excavator. Several photo panoramas were taken of the site. They do not mine at this site by drilling and blasting. The pit area appears very wide and flat, as a result of this cat excavator used to mine the gypsum. The gypsum bed is dipping toward the west, southwest. This dip also allows runoff to go into the drainage. The drainage is located along the western border of the pit. There is a Mitsubishi excavator on the southwest corner of this site. It appears that the excavator is in an area of new mining.

Beyond the current disturbed area border, on the southwest corner of the project, there are well established cryptogamic soils.

jb  
cc: Neil Simmons, BLM,  
Phillip Palmer, Diamond K

**AMMENDED NOTICE OF PLAN OF OPERATION AREA A  
SEC 29, T. 22 S., R. 9 E.  
SAN RAFAEL SWELL RESOURCE AREA  
EMERY COUNTY, UTAH**

**October 12, 1994 (revision)**

**Claims:**     **BJ-2 BLM UTM# 212727: NE/4, of SW/4, sec. 29**

**Claim Owner:**     John E. Welsh, 801-278-6657  
4780 Bonair St., Holladay, Utah 84117

**Claim Operator:** Phillip M. Palmer 801-896-6622  
234 N. 500 W.  
Richfield, Utah 84701

In the first week of September/94 a field meeting was held at the quarry site of Diamond K. Phil Palmer (Diamond K), Niel Simmons (BLM) and John Welsh (Owner) discussed the status of the quarry and the continuous quarrying of gypsum rock through 1995.

**Quarry in Claim BJ-2**       **Only** activities in Area A are ammended by this Notice. Approximately (7) seven acres are now disturbed at the active quarry in **Area A** as of September 1, 1994. The quarry is being operated in a systematic manner and is in compliance with good mining practices. The mined out quarry floor is a slightly westerly tilted plain which will be covered by the stockpiled top soil. Approximately four acres will be **reclaimed** by grading and covering with top soil adjacent to the Moore Road in the remainder of 1994. At that time **reseeding** will occur.

It is herein proposed to enlarge the quarry to a disturbance of (12) acres by quarrying in a West and Northwest direction. Top soil will be removed and stockpiled in the existing quarry and in furrows in the extension of this quarry. Rock overburden will be placed within the small drainage NNW of the present quarry area in order to provide a ramp to the gypsum rock resource immediately north of this drainage. This drainage will be blocked by a check barrier near its mouth to prevent material entering into the South Salt Wash Drainage. Since this small 1000 foot length drainage ends at the Moore Road there is no chance of flash flooding or rapid stream flow in its course. Because the main South Salt Wash drainage course and flood plain were **contaminated** to a major extent in the past by carbonate materials from the I-70 quarry activities to the East, any gypsum rock materials escaping into this drainage would be a return to the original composition.

The road access to the quarry from the Moore Road will remain in the same place. Reseeding of reclaimed acres will follow surface contouring. As soon as all of the gypsum rock is removed from Area A, then final reclamation will follow as quickly as possible. Reseeding will be done to take advantage of the seasonal moisture.

Equipment used in the quarrying is a 1991 950 Cat Loader and a 1984 280.2 Mitsubishi Trackhoe.

Estimated 1995 production is 25,000 tons of gypsum rock. Haulage averages 12 truckloads per week. Three employees are used for transportation and mining.

Juniper and Pinon do not grow on gypsiferous soil and there are **no trees** within the area of planned disturbance.

The quarry will not encroach upon the South Salt Wash floodplain and there will be an undisturbed margin between the quarry and this drainage.

Enclosure: Scale 1 : 6,000 Topographic Map of Claims and Quarry.  
Scale 1 : 3,000 Sept. 93 aerial photograph Quarry area.

**Statement of Compliance:** All Federal, State and County Transportation, Water Quality, Air Quality, Solid Waste Disposal laws and regulations shall be complied with. I will complete all necessary reclamation of areas disturbed during the course of my operations to the standard described in 43 CFR 3809.1-3(d) and that reasonable measures will be taken to prevent unnecessary or undue degradation of the federal lands during operations.

**Signature of Operator:** \_\_\_\_\_

**Dated** 10-14-94

Phillip M. Palmer

Original to :Mr. Neil Simmons  
San Rafael Resource Area Management  
900 North 700 East  
Price, Utah 84501

Copies to: Mr. Tony Gallegos  
Utah Oil, Gas and Mining Division  
355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203

BT2 in  
NE 1/4, SW 1/4 sec 29  
T. 22 S., R. 9 E.

6655

MOORE ROAD

Reclaim  
4 Acres + 1/2  
1994

PT 1612

1995  
Same  
1994  
Tares

AREA "A"

above

Salt

1995 PLAN IN AREA A

SAN RAFAEL GYP & ANA RESOL. CE  
BJT PLACER CLAIMS  
EMERY COUNTY, UTAH

Scale 1: 6,000 #

212727 UTM  
212729  
226190  
22732  
226191

BT2 5 6 7 10

AREA A  
Only in

JOHN E. WELSH  
Geologist  
801-278-6657  
4780 Bonair St.  
Holladay, UT 84117



PROJECT DIAMOND "K" EXPANSION IN NE 1/4, SW 1/4 sec 27, T22S, R9E, Eddy Co., N.M. Scale 1" = 500' 00'



7 acres disturbed in Diamond K Quarry through 1994 - photo above Sept. 1994 BJ-2 #212727  
4 Reclamation 4 acres plus adjacent to Moore Road in Fall 1994 AREA "A" of PLAN  
1995 Production from 5 acres West of Present Quarry Toward Salt Creek Drainage



State of Utah

DEPARTMENT OF ENVIRONMENTAL QUALITY  
DIVISION OF WATER QUALITY

Michael O. Leavitt  
Governor  
Dianne R. Nielson, Ph.D.  
Executive Director  
Don A. Ostler, P.E.  
Director

288 North 1460 West  
P.O. Box 144870  
Salt Lake City, Utah 84114-4870  
(801) 538-6146  
(801) 538-6016 Fax  
(801) 536-4414 T.D.D.

October 3, 1994

Mr. Phillip M. Palmer  
234 North 500 West  
Richfield, Utah 84701

Re: Enlarge the Gypsum Quarry  
Emery County, UTU-69860

Dear Mr. Palmer:

We have reviewed a copy of your letter describing enlarging the existing gypsum quarry. We received a copy of the notice from the Bureau of Land Management on September 9, 1994.

This project will entail enlarging the operation to (12) acres. The overburden will be placed within a small drainage area (1000 feet in length) in such a way to prevent the possibility of flash flooding.

It does not appear that the operation as described will have any water quality impacts. No permit is required for the stated activities.

If we can be of further assistance, please contact me or Mr. Lyle Stott of my staff.

Sincerely,

Kiran L. Bhayani, P.E., D.EE., Manager  
Design Evaluation Section

KB:LWS:rvg

cc: Neil A. Simmons - Bureau of Land Management

N:PALMER.116  
FILE:BLM



# United States Department of the Interior

BUREAU OF LAND MANAGEMENT  
Moab District  
San Rafael Resource Area  
900 North 700 East  
Price, Utah 84501

TAKE PRIDE IN AMERICA  
IN REPLY REFER TO:  
3809  
(UTU-69860)  
(UT-067)

SEP 30 1994

Phillip M. Palmer  
234 North 500 West  
Richfield, Utah 84701

Dear Mr. Palmer:

We have received and reviewed your plan amendment for your gypsum mine on the BJ mining claim group in Emery County and determined that the amendment is incomplete. We require the following information: *use NE 1/4, SW 1/4 sec 29*

1. The legal description is apparently incorrect. The BJ #2 claim is in the NE 1/4 SW 1/4, of section 29, not in the NE 1/4 and the SW 1/4.

2. The described work areas include claims BJ #5, 6, 9, and 10, which are not included in the amendment. Area C includes an unclaimed portion in SE 1/4 SW 1/4 of section 29 and portions of the SE 1/4 of section 30. The mining claims and legal description should correspond with the areas proposed for development. Areas should be included in reclamation or development section. If you are only amending the plan of operations to include an enlarged area for Area A, then mention of Areas B and C should be dropped from the plan amendment. *\* only Area A*

3. A map showing sequential development and reclamation with dates needs to be included. We have enclosed an example. The development and reclamation can be shown on separate maps if a single map would be too cluttered in showing both.

4. A list of equipment being used should be included in the amendment.

5. The proposed annual production or a range of production should also be included.

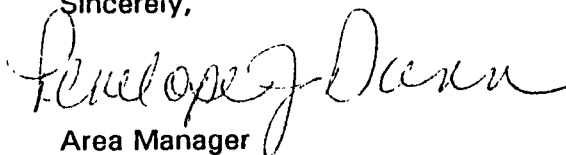
6. The average number of truck trips on a daily or weekly schedule is needed, as is the number of workers employed in both mining and transportation.

7. Our records indicate that John Welsh resides in Holladay, not Salt Lake City. Also, there is no zip code for Mr. Welsh's address.

8. If Areas B and C are to be included in the amendment, then access to these areas needs to be described and shown on a map. The location and method of crossing South Salt Wash is also needed.

9. If any trees are to be disturbed or destroyed due to mining operations, proposed disposal methods and location of the trees should be included. This would apply primarily to Area C.

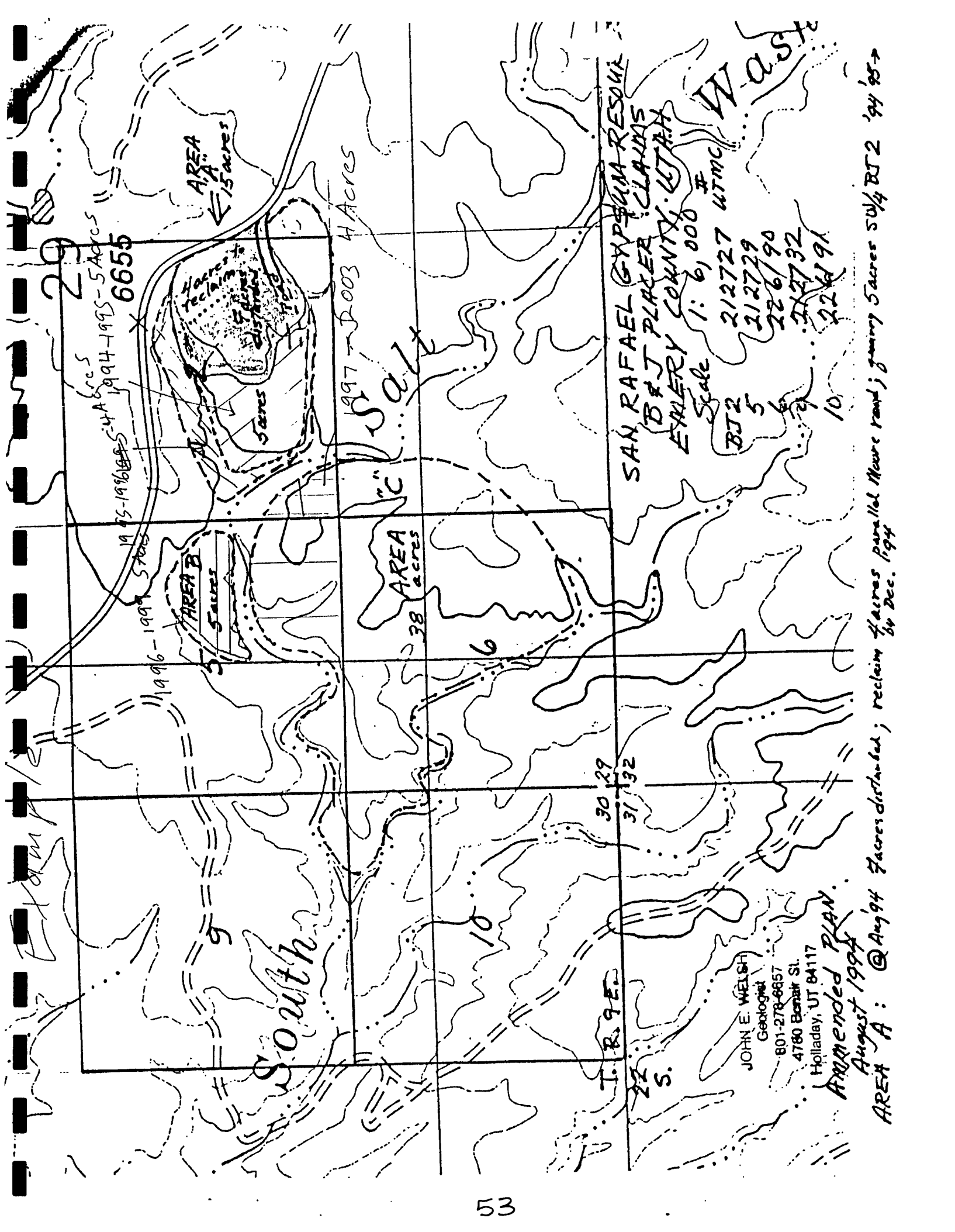
Sincerely,



Area Manager

Enclosure  
Map

cc: Bryant Anderson  
Emery County Planning and Zoning  
P.O. Box 297  
Castle Dale, Utah 84513 (wo/Enclosure)  
Kiran Bhayani  
Utah Department of Environmental Health  
Division of Water Quality  
P.O. Box 16690  
Salt Lake City, Utah 84116-0690 (wo/Enclosure)  
Tony Gallegos  
Division of Oil, Gas and Mining  
355 West North Temple Street  
3 Triad Center  
Salt Lake City, Utah 84180-1203 (wo/Enclosure)  
John E. Welsh  
4780 Bonair Street  
Holladay, Utah 84117 (wo/Enclosure)



SAN RAFAEL GYPSEUM RESERVE  
B & J PLACER CLAIMS  
EARLY COUNTY, UTAH

Scale 1: 6,000

UTMC  
212727  
212729  
226190  
227132  
224191

JOHN E. WELSH  
Geologist  
801-278-6857  
4780 Borah St.  
Holladay, UT 84117

Amended Plan  
August 1994

AREA A : @ Aug 94 Acres disturbed; reclaim 4 acres parallel Mowre road; zoning 5 acres 50 1/4 BT 2 '94 '95 - '94 '95 -



# United States Department of the Interior

BUREAU OF LAND MANAGEMENT  
Moab District  
San Rafael Resource Area  
900 North 700 East  
Price, Utah 84501



IN REPLY REFER TO:

3809  
(UTU-69860)  
(UT-067)

Mr. Phillip Palmer  
234 North 500 West  
Richfield, Utah 84701

SEP 20 1994

Dear Mr. Palmer:

We have received and reviewed your amendment for your plan of operations on the BJ #2, 5, and 6 mining claims concerning expansion of your gypsum mine in Emery County, Utah. We have determined that the amendment is incomplete and that the following information is needed for completing the amendment:

1. The mining area should be divided into blocks, with a proposed mining and reclamation schedule. Thus, the maximum surface disturbance can be calculated which is needed to calculate the bond amount.
2. An estimate of annual production should be included, or a range of production.
3. The average number of truck trips on daily or weekly schedule should also be included.
4. There is an error in the address of the mining claim owner, John E. Welsh. Our records indicate that he lives in Holladay not Salt Lake City, and there is no zip code for his address. Please correct his address or verify that your submission is correct and, in either case, add the zip code.
5. Area C included land in section 30 which is on the BJ #9 and 10 claims and also an area in unclaimed SW  $\frac{1}{4}$  SE  $\frac{1}{4}$  section 30. It is not clear if these areas are included in the proposed changes of the plan amendment. Please clarify and if these areas are included, the legal description and the claim list will have to be changed.
6. A list of equipment being used needs to be included in the plan amendment.

Until the plan amendment is approved, you are not authorized to disturb any more land in your mining operations. You may continue your mining activities in the area currently disturbed.

Sincerely,

*Wayne Luckington*  
Area Manager  
Acting

cc: Bryant Anderson  
Emery County Planning and Zoning  
P.O. Box 297  
Castle Dale, Utah 84513  
Kiran Bhayani  
Utah Department of Environmental Health  
Division of Water Quality  
P.O. Box 16690  
Salt Lake City, Utah 84116-0690  
Tony Gallegos  
Division of Oil, Gas and Mining  
355 West North Temple Street  
3 Triad Center  
Salt Lake City, Utah 84180-1203  
John E. Welsh  
4780 Bonair Street  
Holladay, Utah 84117

Mr. Neil Simmons  
Bureau of Land Management  
P. O. Box AB 900 N. 700 E.  
Price, Uth. 84501

April 15, 1994

**RECLAMATION AND STATUS OF QUARRYING ACTIVITIES:**

**BJ - 5 BLM UTM# 212729 NE,NW,SW, 29, T. 22 S., R. 9 E.**

On March 16, 1994, reclamation of this disturbed area was completed by Phil Palmer and John E. Welsh. The disturbed area was recontoured with a D-8 dozer, then reseeded, and dragged to cover the seed with top soil. Top soil was distributed over 100 % of the reclaimed area. The original surface had less than a 50 % soil cover, therefore the reclaimed area should have a greater plant density. The area will be rechecked in October 1995, and additional seeding will be done to catch next winter's moisture. Photo enclosed.

**BJ-2 BLM UTM# 212726 Ut OGM File S/015/041**  
**NE, SW, 29, T. 22 S., R. 9 E.**

The gypsum quarry operated by Phil Palmer (Diamond K) is shown in the enclosed photo, view East, taken in 1994. The entire quarry is within a 5 acre limit of disturbance. Top soil is stockpiled on the North side adjacent to the Moore road and in a mound in the center of the quarry. The resource is being quarried to remove all of the gypsum rock from this site before doing any more stripping. All of the gypsum rock that is economical will be removed, then the top soil will be replaced over the quarry area. It should be noted that Diamond K has cleaned up the former "helter skelter" quarrying and is maximizing the utilization of the resource. This quarry is in contrast to another active operation for gypsum rock on the San Rafael Swell. I am very pleased with Palmer's operation.

cc. Mr. D. Wayne Hedberg  
UT Div. O, G, & M.  
355W. N. Temple  
SLC, UT. 84180-1203

*Phil:*  
*It may be down in a couple of weeks*  
*John*

Best regards,

*J E W*

John E. Welsh  
Owner of the Claims





# United States Department of the Interior

BUREAU OF LAND MANAGEMENT  
Moab District

San Rafael Resource Area  
900 North 700 East  
Price, Utah 84501



IN REPLY REFER TO:

3809

(UTU-69860)

(UT-067)

DEC 2 9 1993

Phillip Palmer  
Diamond K  
234 North 500 West  
Richfield, Utah 84701

Dear Mr. Palmer:

We have adjusted the boundaries of the Sids Mountain and I-70 areas of critical environmental concern (ACEC) such that your operation is now outside any ACEC. A plan of operations is no longer required for your gypsum mine providing the total disturbance is not more than 5.0 acres. You may just downgrade your plan to a notice if you so desire; however, a map should be included which shows all disturbances and a calculation of the acreage disturbed.

No bonding is required at this time for notice level activity. However, if you have disturbances of more than 5.0 acres, you will probably be required to have \$12,000.00 for the reclamation bond.

If you have any questions, please feel free to contact Neil Simmons of my staff at 801-637-4584.

Sincerely,

Area Manager

*Acting*

cc: Bryant Anderson  
Emery County Planning and Zoning  
P.O. Box 297  
Castle Dale, Utah 84513  
Kiran Bhayani  
Utah Department of Environmental Health  
Division of Water Quality  
P.O. Box 16690  
Salt Lake City, Utah 84116-0690  
Holland Shepherd  
Division of Oil, Gas and Mining  
355 West North Temple Street  
3 Triad Center  
Salt Lake City, Utah 84180-1203



State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt  
Governor

Ted Stewart  
Executive Director

James W. Carter  
Division Director

355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203  
801-538-5340  
801-359-3940 (Fax)  
801-538-5319 (TDD)

September 22, 1994

CERTIFIED RETURN RECEIPT  
P 074 978 917

Mr. Phillip Palmer  
Diamond K  
234 North 500 West  
Richfield, Utah 84701

Re: Amended Notice, Diamond K, B & J Placer Claims, S/015/041 (UTU-69860), Emery County, Utah

Dear Mr. Palmer:

The Division is in receipt of your Amended Notice of Plan of Operation dated August 3, 1994. We received a copy of this amendment on September 12, 1994, from the Bureau of Land Management (BLM). The amendment states the current disturbance at the B & J Placer Claim operation is approximately seven acres, with plans to increase the disturbance to 12 acres in the near future.

Your application currently on file with the Division is for a Small Mining Operation disturbing five (5) acres or less. Section R647-3-113 of the Minerals Rules states: "Before enlarging a small mining operation beyond five (5) acres of surface disturbance, the operator must file a Notice of Intention to Commence Large Mining Operations (Form MR-LMO) and receive Division approval." By exceeding five acres of surface disturbance prior to receiving state approval of a Notice of Intention to Commence Large Mining Operations, you are operating in violation of the Utah Mined Land Reclamation Act. In order to remedy this situation, we ask that you submit a completed MR-LMO application (form enclosed) to the Division within 45 days of your receipt of this letter; and, refrain from expanding your operations beyond the current disturbance of seven acres until the Division has granted tentative approval of the Large Mining Operation Notice of Intention.

In addition to submitting the MR-LMO form you will need to post a reclamation surety, based upon the amount of monies estimated to reclaim the site. The surety will need to be posted prior to the Division's final approval of the Large Mining Operation notice. The amount and form of surety will need to be acceptable to both the BLM and the Division.

Page 2  
Phillip Palmer  
S/015/041  
September 22, 1994

It is our understanding that you have already posted a \$10,000 reclamation surety with the BLM for the current status of mining operations at this site. A surety made out jointly to both agencies will most likely be required. Once you have decided on the type of reclamation surety to be posted, please contact the Division and BLM offices for the appropriate form to be used for that particular type of surety. We have contacted the BLM and understand they will also be requesting some additional permitting information from you regarding this amendment.

A copy of the State's Minerals Rules is also enclosed for your information. Please contact me or Wayne Hedberg if you have any questions regarding this letter or completion of the MR-LMO form.

Sincerely,



Anthony A. Gallegos  
Reclamation Engineer

jb  
Enclosures: (1) MR-LMO form, (2) Minerals Rules  
cc: Neil Simmons, BLM San Rafael R. A.  
Lowell Braxton, Wayne Hedberg, DOGM (route)  
S15-41LG.LET

**AMMENDED NOTICE OF PLAN OF OPERATION**  
**SEC 29, T. 22 S., R. 9 E.**  
**SAN RAFAEL SWELL RESOURCE AREA**  
**EMERY COUNTY, UTAH**

*Rev September 15, 94*  
**AUGUST 3, 1994**

**Claims:**      **BJ-2 BLM UTM# 212727**                      **NE, SW, sec. 29**

**Claim Owner:**    John E. Welsh, 801-278-6657  
                         4780 Bonair St., Salt Lake City, Utah

**Claim Operator:** Phillip M. Palmer 801-896-6622  
                         234 N. 500 W.  
                         Richfield, Utah 84701

In the first week of September/94 a field meeting was held at the quarry site of Diamond K. Phil Palmer (Diamond K), Niel Simmons (BLM) and John Welsh (Owner) discussed the status of the quarry and the continuous quarrying of gypsum rock through 1995.

**Quarry in Claim BJ-2**      Approximately (7.4) seven and four tenths acres are now disturbed at the active quarry in **Area A** as of September 1, 1994. The quarry is being operated in a systematic manner and is in compliance with good mining practices. The mined out quarry floor is a slightly westerly tilted plain which will be covered by the stockpiled top soil.

It is herein proposed to enlarge the quarry to a disturbance of (15) acres by quarrying in a West and Northwest direction. Overburden will be placed within the small drainage NNW of the quarry area, and this drainage will be blocked at its mouth to prevent material entering into the South Salt Wash Drainage. Since this small 1000 foot length drainage ends at the Moore Road there is no chance of flash flooding or rapid stream flow in its course. Quarrying will be done in the future north of this drainage to remove the gypsum rock in the lower gypsum unit. West of the present quarry the lower gypsum rock unit will be removed up to the natural boundary of the Salt Wash.

All of the lower unit gypsum rock should be removed from Area A by the end of 1995. Quarrying in Area B and Area C will be initiated after Area A is depleted, which should not be until 1996.

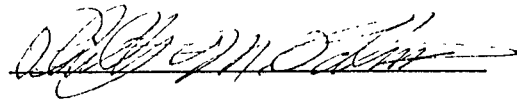
**Reclamation in Area A**      This Fall 1994, before the end of December, at least (4) acres will be reclaimed adjacent to the Moore Road in Area A within the BJ-2 claim. The road access to the quarry will remain in the same place. Reseeding of the reclaimed area will follow the surface contouring. As soon as all of the gypsum rock is removed from Area A, then reclamation will follow as quickly as

possible. Reseeding will be done to take advantage of the seasonal moisture.

Enclosure: Scale 1 : 6, 000 Map of Claims and Quarry Areas.

**Statement of Compliance:** All Federal, State and County Transportaion, Water Quality, Air Quality, Solid Waste Disposal laws and regulations shall be complied with. I will complete all necessary reclamation of areas disturbed during the course of my operations to the standard described in 43 CFR 3809.1-3(d) and that reasonable measures will be taken to prevent unnecessary or undue degradation of the federal lands during operations.

**Signature of Operator:**



**Dated**

9/19/74

Phillip M. Palmer

Original to :Mr. Neil Simmons  
San Rafael Resource Area Management  
900 North 700 East  
Price, Utah 84501

Copies to: *Mr Tony Gallegos*  
Utah Oil, Gas and Mining Division  
355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203

John E. Welsh  
4780 Bonair Street  
Salt Lake City, Utah 84117

AMMENDED NOTICE OF PLAN OF OPERATION  
SEC 29, T. 22 S., R. 9 E.  
SAN RAFAEL SWELL RESOURCE AREA  
EMERY COUNTY, UTAH

AUGUST 3, 1994

**Claims:**   BJ-2 BLM UTM# 212727           NE, SW, sec. 29  
              BJ-5 BLM UTM# 212729           NW, SW, sec. 29  
              BJ-6 BLM UTM# 226190           SW, SW, sec. 29

**Claim Owner:**   John E. Welsh, 801-278-6657  
                      4780 Bonair St., Salt Lake City, Utah

**Claim Operator:** Phillip M. Palmer 801-896-6622  
                      234 N. 500 W.  
                      Richfield, Utah 84701

**Quarry in Claim BJ-2**       Approximately (7) seven acres are now disturbed at the active quarry in **Area A** as of August 1, 1994. The quarry is being operated in a systematic manner and is in compliance with good mining practices.

It is herein proposed to enlarge the quarry to a disturbance of (12) acres by quarrying in a West and Southwest direction. Overburden will be placed within the small drainage NNW of the quarry area, and this drainage will be blocked at its mouth to prevent material entering into the South Salt Wash Drainage. Since this small 1000 foot length drainage ends at the Moore Road there is no chance of flash flooding or rapid stream flow in its course. No quarrying will be done in the immediate future north of this drainage although there are outcrops and a resource of the lower gypsum bed.

**Reclamation in Area A**       This Fall before the end of December, at least (4) acres will be reclaimed adjacent to the Moore Road in Area A within the BJ-2 claim. The road access to the quarry will remain in the same place. Reseeding of the reclaimed area will follow the surface contouring.

**Area B**       This 5 acre flat was approved for quarrying in an earlier "PLAN". This area will not be disturbed until later.

**Area C**       It is requested at this time that the BLM representatives make an archeological and environmental inspection of Area C, because this area is the logical next area to be mined upon the depletion of Area A. The area would be accessed by extending the present road into Area A, then crossing the South Salt Wash into Area C.

Enclosure: Scale 1 : 6, 000 Map of Claims and Quarry Areas.

**Statement of Compliance:** All Federal, State and County Transportaion, Water Quality, Air Quality, Solid Waste Disposal laws and regulations shall be complied with. I will complete all necessary reclamation of areas disturbed during the course of my opertions to the standard described in 43 CFR 3809.1-3(d) and that reasonable measures will be taken to prevent unnecessary or undue degradation of the federal lands during operations.

**Signature of Operator:** \_\_\_\_\_

**Dated** 8-31-91

Phillip M. Palmer

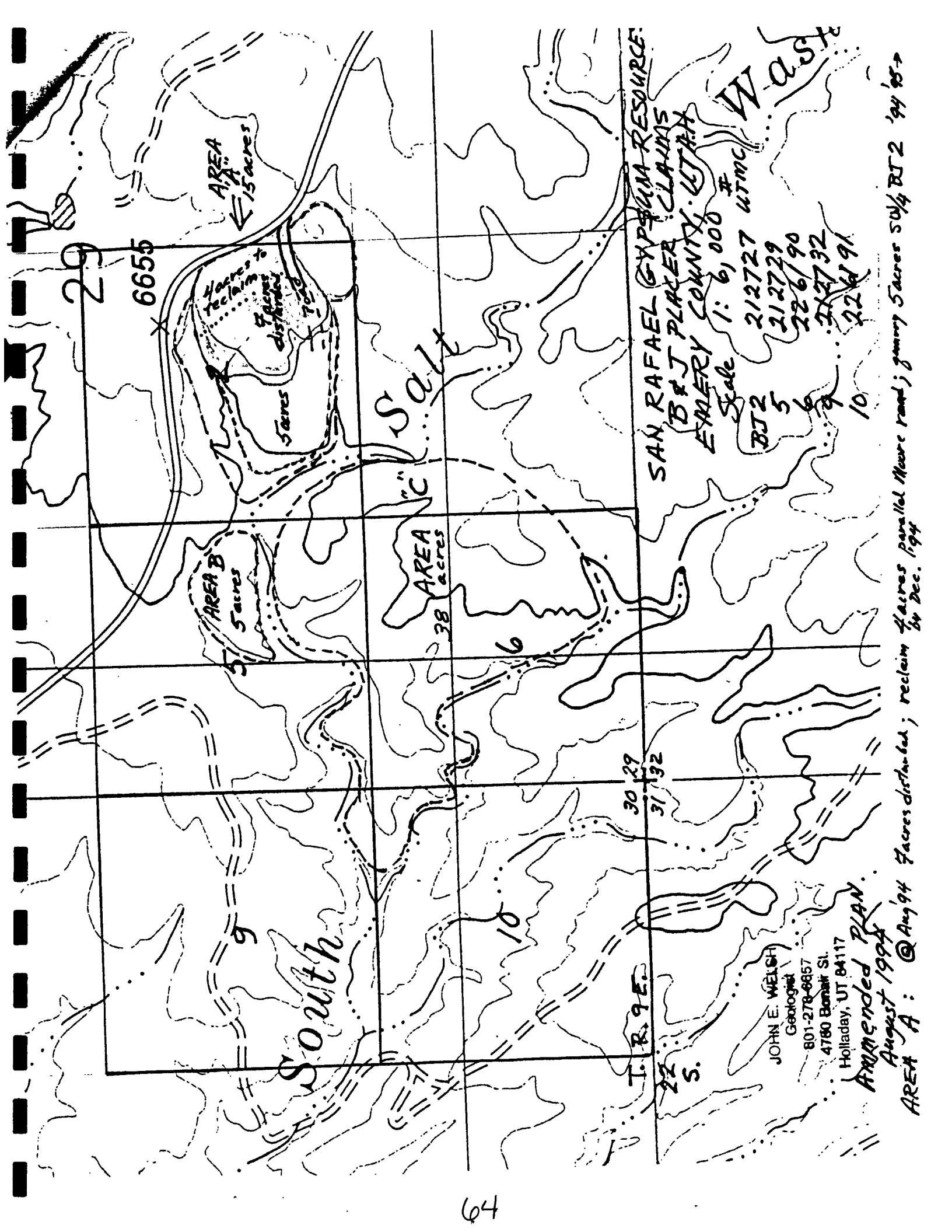
Original to :Mr. Neil Simmons  
San Rafael Resource Area Management  
900 North 700 East  
Price, Utah 84501

Copies to: Holland Sheperd  
Utah Oil, Gas and Mining Division  
355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203

John E. Welsh  
4780 Bonair Street  
Salt Lake City, Utah 84117

*delivered  
for delivery  
1-1-91*

*went copies  
1-1-91*





Mr. Neil Simmons  
Bureau of Land Management  
P. O. Box AB 900 N. 700 E.  
Price, Uth. 84501

April 15, 1994

**RECLAMATION AND STATUS OF QUARRYING ACTIVITIES:**

**BJ - 5 BLM UTM# 212729 NE,NW,SW, 29, T. 22 S., R. 9 E.**

On March 16, 1994, reclamation of this disturbed area was completed by Phil Palmer and John E. Welsh. The disturbed area was recontoured with a D-8 dozer, then reseeded, and dragged to cover the seed with top soil. Top soil was distributed over 100 % of the reclaimed area. The original surface had less than a 50 % soil cover, therefore the reclaimed area should have a greater plant density. The area will be rechecked in October 1995, and additional seeding will be done to catch next winter's moisture. Photo enclosed.

**BJ-2 BLM UTM# 212726 Ut OGM File S/015/041  
NE, SW, 29, T. 22 S., R. 9 E.**

The gypsum quarry operated by Phil Palmer (Diamond K) is shown in the enclosed photo, view East, taken in 1994. The entire quarry is within a 5 acre limit of disturbance. Top soil is stockpiled on the North side adjacent to the Moore road and in a mound in the center of the quarry. The resource is being quarried to remove all of the gypsum rock from this site before doing any more stripping. All of the gypsum rock that is economical will be removed, then the top soil will be replaced over the quarry area. It should be noted that Diamond K has cleaned up the former "helter skelter" quarrying and is maximizing the utilization of the resource. This quarry is in contrast to another active operation for gypsum rock on the San Rafael Swell. I am very pleased with Palmer's operation.

cc. Mr. D. Wayne Hedberg  
UT Div. O, G, & M.  
355W. N. Temple  
SLC, UT. 84180-1203

Best regards,

*J. E. W.*  
John E. Welsh  
Owner of the Claims

*Phil: It may be down in a couple of weeks*  
*John*



Norman H. Bangerter

Governor

Dee C. Hansen

Executive Director

Dianne R. Nielson, Ph.D.

Division Director

# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

355 West North Temple

3 Triad Center, Suite 350

Salt Lake City, Utah 84180-1203

801-538-5340

November 18, 1992

TO: Minerals File

FROM: Holland Shepherd, Senior Reclamation Specialist *HW*

RE: Site Inspection, Diamond K/Phil Palmer, B & J Placer Claims, S/015/041,  
Emery County, Utah

Date of Inspection: November 17, 1992  
Time of Inspection: 12:00 p.m. - 12:30 p.m.  
Conditions: Clear, sunny, cold  
Participants: Holland Shepherd, DOGM

I stopped very shortly at the B & J Placer Claims to inspect the current disturbance at the mine site. The current disturbance still remains under 5 acres. The quarry has recently been active. At this point in time, the site remains status quo.

jb  
cc: Neil Simmons, BLM, Ran Rafael RA  
Phil Palmer, Operator  
S015041



# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

Norman H. Bangerter

Governor

Dee C. Hansen

Executive Director

Dianne R. Nielson, Ph.D.

Division Director

355 West North Temple

3 Triad Center, Suite 350

Salt Lake City, Utah 84180-1203

801-538-5340

December 20, 1991

Mr. Neil Simmons  
Bureau of Land Management  
San Rafael Resource Area  
900 North 700 East  
Price, Utah 84501

Dear Mr. Simmons:

Re: Amended Notice of Intention to Commence Small Mining Operations, John Welsh's, B & J Placer Mine Project, S/015/041, Emery County, Utah

Thank you for forwarding the amended Notice of Intention to Commence Small Mining Operations for John E. Welsh's, B & J Placer mine project, located in the NE 1/4 of the SW 1/4 of Section 29, T22S, R9E, SLBM, Emery County, Utah. Your agency's designated number for this project is U67-P91-04.

This letter is to inform you that the Division has evaluated the above mentioned Notice of Intent for completeness. The Notice does meet the requirements of Rule R613-003 of the 1988 Division of Oil, Gas and Mining Minerals Rules, and Title 40-8 et seq of the Utah Mined Land Reclamation Act of 1975.

It is understood that your office, acting as "Lead Agency" will notify the operator accordingly. Please provide us with a final copy of your completeness letter to the operator.

Thank you for your cooperation. If you receive further information or amendments for this operation, please notify us so we will be able to update our files. Please reference our designated file number S/015/041 when forwarding additional information on this project to us.

Sincerely,

Holland Shepherd  
Senior Reclamation Specialist

jb

cc: Roger L. Bon, UGMS  
Philip Palmer, Operator  
Minerals File

December 12, 1991

Emery County Economic Development and Zoning  
P.O. Box 297  
Castledale, UT 84513

Dear Sirs:

Diamond K is an established business of fifteen years, which has been in the line of trucking and the sale of commodities throughout Utah, Arizona, Nevada, and California. Three years ago we dropped the trucking line and are solely in the line of sales of commodities. It is a business solely owned by Phil and Karen Palmer.

We have been selling solution grade gypsum for the past eight months, which has come from the B&J properties on the San Raphael. We have an established sales force in California consisting of five people, of whom are associated with the new innovative machines which dispense the solution grade gypsum into irrigation systems.

For the purposes of bonding and reclamation, which the previous operator did not have, we have established a savings account of \$10,000, #55-304789-5, in the name of Emery County and Phillip and Karen Palmer. A copy of that savings account will be sent to you. It is at Zion's First National Bank.

We have acquired a lease agreement with the claim owner, John Welsh, for a period of ten years. Bryant Anderson has a copy of our ten year plan of operation, which has been filed and approved with the Bureau of Land Management.

The trucking company that will be contracted to move the product is D.P. Curtis Trucking, Richfield, Utah, who also now transports product for Georgia Pacific Gypsum just west of the B&J claims. Our truck traffic on the Moore Road will be considerably less than Georgia Pacific, in that we plan for the movement of 8-10 Thousand tons a year.

We also have in place a million dollar liability insurance policy.

I would like to work closely with you on any and all matters concerning this project and I'm available to meet with you to answer any further questions you might have concerning this matter. Please contact me at anytime.

Sincerely,



Phillip Palmer  
Diamond K